

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.2228 of 2017**

(Arising out of judgment/order dated 20.3.2017 in Order No.3210/MaBaVi/P.O./Coll/2017 of the Collator, Balrampur-Ramanujganj)

Jai Durga Mahila Swa Sahayata Samuh, Village Trikunda, Through Smt. Meena Gup[ta (President), Wife Of Shri Krishna Kumar Gupta, Aged About 50 Years, R/o Village Trikunda, Tehsil Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioner**Versus**

- 1.** State Of Chhattisgarh Through : Its Secretary, Women And Child Development Department, Mahanadi Bhavan, Naya Raipur, District : Raipur (Chhattisgarh)
- 2.** Collector, Balrampur, Distt. Balrampur Ramanujganj (Chhattisgarh)
- 3.** District Project Officer, Women and Child Development Department, Balrampur, Distt. Balrampur Ramanujganj (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr.Manish Nigam, Advocate
For Respondents	:	Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/08/2017**

- 1.** The petitioner has filed this writ petition calling in question impugned order dated 20.3.2017 by which respondent No.2/Collector, Balrampur-Ramanujganj has invoked the agreement dated 3.10.2015 which authorizes the petitioner group for supply of ready to eat food material to Aangan Badi Centre of Nawadih sector.
- 2.** Learned counsel for the petitioner would submit that the

impugned order is wholly unsustainable and bad in law and therefore, it is liable to be set aside.

- 3.** On the other hand, learned State Counsel would support the impugned order.
- 4.** I have heard learned counsel appearing for the parties, considered their rival submissions made hereinabove and also gone through the record with utmost circumspection.
- 5.** In the first round of litigation in WPC No.2653 of 2016 this Court directed the Collector, Balrampur Ramanujganj to hear the petitioner and pass a speaking and reasoned order. The Collector heard the petitioner and clearly recorded a finding that the petitioner group has admitted his error in maintenance of the record and preparation of ready to eat food material. Apart from this, in para five learned Collector has clearly recorded a finding that the petitioner group is guilty of violating the conditions of agreement dated 3.10.2015 and further recorded a finding that in the Laboratory Analysis Report quantity of protein in ready to eat food material was 9.9%, which is below the specified quality and as such, no compromise can be made in maintaining the quality while supplying ready to eat food material.
- 6.** Since the petitioner has given fullest opportunity to defend himself and he has not only admitted his guilt, but also on merits the Collector has found the material to be deficient

in quality and that is the ground for revoking the subject agreement of the partitioner. The Collector has exercised the jurisdiction vested in him under the law and passed the order on the basis of material available on record, in which I do not find any jurisdictional error or perversity.

7. Accordingly, the writ petition being devoid of merit is liable to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-