

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.235 of 2018

Nikhil Mahila Swa Sahayata Samuh, Through President Rumanti Kashyap, W/o Shri Hurdanandan Kashyap, aged about 30 years, R/o Village Post Mainpur, Block Mainpur, District Gariyaband (CG)

---- Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Women and Child Development, Mantralaya, Mahanadi Bhawan, Naya Raipur (CG)
2. Collector, District Gariyaband (CG)
3. District Programme Office, Akikrit Bal Vikas Yojna, Mainpur, District Gariyaband (CG)

---- Respondents

For Petitioner	:	Mrs.Renu Kochar, Advocate
For Respondents	:	Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/1/2018

1. Learned counsel for the petitioner would submit that cancellation of work allotted to the petitioner Samooh i.e. work of production and distribution of ready to eat material to Anganbadi Centres by respondent No.2/Collector, Gariyaband is unsustainable and bad in law.
2. On the other hand, learned Deputy Advocate General for the respondents/State would submit that allotment of production and distribution of ready to eat material to Anganbadi Centres are governed by the policy framed by the State Government and that policy has amended time to time and by superseding the earlier policy, the State Government has framed a new policy dated 5.6.2017 and on that basis order has been passed by the Collector. Even otherwise, under the new policy dated

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5.6.2017, order passed by the Collector is appealable under Clause 9 of the memo/circular dated 5.6.2017 before the Commissioner of the concerned Revenue Division.

- 3.** I have heard learned counsel for the parties and considered their rival submissions made herein-above and also gone through the record with utmost circumspection.
- 4.** Since the order is appealable before the Commissioner as per Clause 9 of the memo/circular dated 5.6.2017, I am not inclined to entertain this writ petition. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to prefer an appeal before the appellate authority i.e. Commissioner within three weeks from today. If such an appeal is preferred, the appellate authority would do well and decide the same expeditiously. The petitioner is also at liberty to make an application for grant of stay and that will also be considered by the appellate authority expeditiously. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-