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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2569 of 2018

- Mahamaya Swa Sahayta Samooh Kansori Through Its Secretary Smt. Babali Jayswal W/o Shri Pyarelal Jayswal Aged About 45 Years, R/o Village- Knsari, Vikas Khand Lormi, Thana and Tahsil- Lormi, Civil and Revenue District- Mungeli, Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Secretary, Department of Food, Civil Supply and Consumer Protection, Mantralaya Mahanadi Bhawan, Capital Complex New Raipur, District- Raipur, Chhattisgarh
2. Collector Mungeli, (Food Department) District- Mungeli, Chhattisgarh
3. Sub Divisional Officer (Revenue) Lormi, District- Mungeli, Chhattisgarh
4. Indira Mahila Swa-Sahayta Samooh Kansari Through Its President R/o Village- Kansari, Thana and Tahsil- Lormi, Civil and Revenue District- Mungeli, Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri Rishi Sahu, Advocate
Shri Shashank Thakur, GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

19/09/2018

1. The work of supply of mid-day meal to the Government Primary School, Kansari was allotted to the petitioner self help group, however, the same has been withdrawn by the impugned order dated 04.01.2018 passed by the SDO (Revenue), Lormi, District Mungeli.

2. Perusal of the papers filed with the writ petition would indicate that on the date when the petitioner appeared before the SDO (Revenue), the said Authority was allegedly on leave. Moreover, there appears no adverse allegation against the petitioner in performance of the work of supply of mid-day meal. However, since by communication dated 07.08.2012, the School Education Department of the State Government has provided for an internal grievance redressal mechanism of filing a representation against the order passed by the SDO (Revenue) before the concerned Collector within 45 days from the date of order and for the fact that the writ petition has been preferred after expiry of about 8 months period, ends of justice would be served if the petitioner is permitted to move a representation before the concerned Collector. Accordingly, the writ petition is disposed of with direction that in the event, the petitioner prefers a representation before the concerned Collector within 4 weeks from today, the said Collector shall decide the representation on merits, without raising plea of limitation. The Collector shall pass a reasoned order while deciding the petitioner's representation.

Sd/-
Prashant Kumar Mishra
Judge