

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2496 OF 2019**

Smt.Sarita Singh W/o Shivkaran Singh Aged About 33 Years Caste - Mar,
R/o Village - Surra, Post And Police Station Balrampur, Tahsil -
Balrampur, District Balrampur Ramanujganj Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department Of Woman And Child Development, Capital Complex, Mahanadi Bhawan, Atal Nagar Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Balrampur, District Balrampur - Ramanujganj Chhattisgarh.
3. Project Officer Integrated Child And Women Development Project Officer Balrampur, District Balrampur Ramanujganj Chhattisgarh.
4. Chief Executive Officer Janpad Panchayat Balrampur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
5. Block Education Officer Block Balrampur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
6. Women And Child Development Officer Balrampur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
7. Block Medical Officer Balrampur Block Balrampur District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
8. Surekha W/o Viphan Aged About 23 Years Caste - Bhuehar, R/o Village - Surra, Post And Police Station Balrampur, Tahsil - Balrampur, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Pramod Shrivastava, Advocate.
For Respondent-State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.04.2019

1. Challenge in this petition is to the order dated 24.10.2018 whereby the respondent No.2 have entertained the appeal preferred by the respondent No.8 and have condoned the delay in preferring the appeal. It is the condonation of delay by which the petitioner is aggrieved of.
2. At the outset this court is not inclined to entertain this writ petition for the reason that the power exercised by the Collector while condoning the delay is discretionary powers conferred upon him and that it is not a case where the Collector did not have the power to condone the delay.

Moreover, no adverse order have been passed except for deciding the application for condoning delay in filing the appeal. The appellate authority is yet to decide the appeal on merits and the same would be only after due hearing provided to the petitioner as well.

3. Given the aforesaid facts and circumstances of the case, this court does not find any strong case made out by the petitioner calling for an interference to the impugned order dated 24.10.2018.
4. Accordingly, reserving the right of the petitioner to approach before the appellate authority to contest the case on merits on his being served with notice, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge