

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 4517 of 2019**

Our Home Charitable Trust Through Chairman Sanjeev Thakkar
Registered Address Village Guru, Behind Aamchur Factory, Distt.
Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Women And Child Development Department, S2-10 Second Floor, Mahanadi Bhawan Mantrlay, New Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. Collector Bilaspur, District Bilaspur, Chhattisgarh
3. Child Welfare Committee (C.W.C) Through Secretary, Women And Child Development Department, Bilaspur, Chhattisgarh
4. Women And Child Development Bilaspur, Through District Programme Officer (D.P.O.), Near Consumer Forum, Bilaspur District, Chhattisgarh
5. District Child Protection Unit Through The District Child Protection Officer (DCPO), Bilaspur, Dist. Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Kishore Bhaduri with Ms. Shikha Pandey & Ms. Priyanka Shukla, Advocates
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.12.2019**

1. The challenge in the present writ petition is to the action initiated by the respondents in the issuance of the letters dated 13.11.2019,

15.11.2019 & 27.11.2019 cancelling the registration of the petitioner.

2. During the course of proceeding, under instruction, the learned Dy. Advocate General appearing for the respondents submits that the action initiated against the petitioner was pursuant to certain correspondence made by the petitioner Trust themselves dated 14.12.2018, 15.03.2019 & 04.05.2019. In addition, the orders have been passed taking note of the inspection report submitted by the Child Welfare Committee constituted under the Juvenile Justice (Care and Protection of Children) Act, 2019 (for short "the Act of 2015").
3. At this juncture, counsel for the respondents submits that admittedly the petitioner Trust themselves had approached the District Magistrate, Bilaspur against the report submitted by the Child Welfare Committee in terms of Sub Section 10 of Section 27 of the Act of 2015.
4. Given the fact that the petitioner Trust have already approached the District Magistrate in respect of the report submitted by the Child Welfare Committee coupled with the fact that the counsel for the petitioner submits that there has been subsequent substantial improvement and rectification carried out by the petitioner at their establishment "Apna Ghar" "Our Home" Charitable Trust whereby the standards as are required under the provisions of law have been maintained, this Court is of the opinion that ends of justice would meet if the writ petition itself could be disposed of directing the respondent no.2 to take an appropriate decision in accordance with the Act of 2015 and other guidelines and regulations framed by the Govt. in this regard.
5. The petitioner also would be at liberty to approach the respondent no.2 requesting for a fresh inspection of their Trust, if they so want and also

apprise the respondent no.2 in respect of the rectification/improvement and the latest facilities that are available at their Establishment/Trust as on date so far as the children under their care and protection are concerned.

6. Subject to the petitioner approaching the respondent no.2 afresh within a period of 15 days from today, let the respondent no.2 take a decision in this regard in accordance with law within a further period of 45 days thereafter. Till then, it is ordered that the respondents shall not take any step pursuant to the impugned orders in this writ petition.
7. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent no.2 is expected to take a decision purely in accordance with law. If required, the respondent no.2 shall consider conducting of a fresh inspection for appropriate assessment of the petitioner Establishment/Trust.
8. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge