

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 139 OF 2020**

- Paawan Jagriti Mahila Swa Sahayata Samooch, Through Its President, Smt. Mongra Devi Sahu, W/o Shri Pardeshi Ram Sahu, Aged About-48 Years, Village-Navapara, Shanti Chowk, Navapara, Tehsil- Abhanpur, District- Raipur (CG)

... Petitioner**versus**

1. State of Chhattisgarh, Through Its Secretary, Department Women And Child Development, Mantralay, Mahanadi Bhawan, Atal Nagar, Raipur (CG)
2. The Collector, District- Raipur (CG)
3. The District Programme Officer, Women And Child Development Department, Raipur (CG)
4. The Project Officer, Unified Child Development, Project, Abhanpur, District- Raipur (CG)
5. Gayatri Mata Samarthan Mahila Swa Sahayata Samooch, Village- Kolar, Block- Abhanpur, District- Raipur (CG)

... Respondents

For Petitioner	:	Mr. R.K. Kesharwani, Advocate.
For Respondents/State	:	Mr. Ashutosh Mishra, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/01/2020**

1. Challenge in the present writ petition is to the action on the part of the respondent authorities whereby the agreement for supply of ready to eat products under Khorpa sector has been awarded to respondent no.5 society in spite of the fact that the agreement with the contract was still valid and it was valid till November, 2020.
2. Learned counsel for the petitioner submits that there has been no opportunity of hearing whatsoever given to the petitioner neither was they noticed about the awarding of the contract to respondent no.5 society. Learned counsel further draws the attention of this Court to Annexure P-7, dated 22.7.2019, whereby the respondent no.3 has in the past found the contract under similar fashion being awarded to respondent no.5 to be bad.
3. Learned State Counsel however opposing the petition submits that the grievance of the petitioner can be still ventilated before the District Collector in terms of the guidelines framed by the State Government. State Counsel further submits that the petitioner has not availed the said remedy and has straightway approached this Court and therefore the writ petition is not sustainable.

4. Given the facts and circumstances of the case, particularly taking note of the fact there is a provision of resolving the dispute by approaching the District Collector who in turn shall constitute a committee for resolving the same, this Court is of the opinion that ends of justice would meet if the present writ petition is disposed of with a direction to the petitioner to immediately approach the District Collector against the order dated 16.12.2019 (Annexure P-1). The District Collector in turn is directed to consider and decide the case of the petitioner on its own merits, in accordance with law.

5. Considering the fact that though the impugned order (Annexure P-1) was passed on 16.12.2019 and the petitioner categorically submits that till date they are still supplying the products as per the agreement, let status quo as it exists today, so far as the supply being made by the petitioner is concerned, be continued till the Collector takes a final decision in the appeal to be preferred by the petitioner. The petitioner is directed to prefer an appeal before the Collector within a period of fifteen days.

6. With the aforesaid observation/direction, the writ petition stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE