

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 413 of 2020

1. Kalawati Singh, W/o Amrit Singh, Aged About 52 Years, President of Shanti Mahila Swa Sahayata Samooh, Bhanwarmal, Tahsil Ramchandrapur, District : Balrampur, Chhattisgarh
2. Tara Gupta, W/o Ram Kumar Gupta, Aged About 53 Years, Secretary of Shanti Mahila Swa Sahayata Samooh, Bhanwarmal, Tahsil Ramchandrapur, District Balrampur-Ramanujganj Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh Through- The Secretary, Water Resources And Technical Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. The Collector, District- Balrampur-Ramanujganj, Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat Ramchandrapur, District : Balrampur, Chhattisgarh
4. Block Education Officer, Block Ramchandrapur, District- Balrampur Chhattisgarh

----- Respondents

For Petitioners	:	Mr. Govind R. Miri, Advocate with Mr. Basant Kaiwartya, Advocate
For State	:	Mr. Jitendra Pali, Dy. Adv. General

Hon'ble Shri Justice P. Sam Koshy
Order on Board

29.01.2020

1. The challenge in the present writ petition is to the order Annexure P-1 dated 23.12.2019, whereby the Respondent No. 4 has cancelled the contract given to the petitioners in respect of the supply of food under Mid-Day Meal at the Primary School, Barahmuriya, Block: Ramchandrapur, District: Balrampur, Ramanujganj and has allotted the contract to a different agency.

2. Learned State counsel referring to the guidelines framed by the State Government in this regard submits that, the grievance of the petitioner can be redressed, if the petitioner makes a representation before the concerned District Collector.
3. The counsel for the petitioner at this juncture referred to Annexure P-5 dated 08.01.2020 and submitted that he has already approached the District Collector but no decision has been taken on the said objection.
4. Given the said facts and circumstances of the case, considering the fact that the decision of the Sub-Divisional Officer is challengeable before the Collector and the petitioner having already approached the Collector, the writ petition itself can be disposed off at this juncture directing the respondent no. 2 to take a decision on the application/representation that the petitioner has made. The petitioner would also be at liberty to file a fresh appeal /representation, if he so chooses. The petitioner would also be at liberty to approach the respondent by moving appropriate application before the respondent no. 2 for grant of interim relief, if any. Subject to the petitioner moving such an application, the respondent authority is expected to take a decision at the earliest, preferably within a period of 45 days from the date of receipt of copy of this Order.
5. With the aforesaid observation, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge