

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 526 of 2020

Maa Sheetla Jyoti Mahila Swa-Sahayata Samuh, Devkar Through Its President Smt. Sumitra Sahu Wife Of Shri Rajendra Sahu, Aged About 39 Years, Resident Of Village Devkar, Ward No.11, Police Station Saja, District Bemetara, Chhattisgarh.

---Petitioner(s)

Versus

- 1.** State of Chhattisgarh Through The Secretary, Women And Child Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
- 2.** The Collector District Bemetara, Chhattisgarh.
- 3.** The District Programme Officer Women And Child Development Department, District Bemetara, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Sanjeev Kumar Sahu, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12.02.2020

- 1.** The present is a second round of litigation. The earlier round of litigation was WPC No.4653 of 2019. The said writ petition got disposed of on 19.12.2019. While disposing of the writ petition, this court had made the following observations:

“Accordingly, reserving the right of the petitioner to approach the concerned District Collector within a period of seven days from today, the Collector is directed to consider and decide the appeal at the earliest, preferably within a period of thirty days from the date of receipt of the appeal of the petitioner. The petitioner would also be at liberty to move an application for grant of interim relief before the Collector.”

- 2.** From perusal of records it appears that the petitioner has already preferred an appeal before the Collector, Bemetara, and the appeal has now fixed for hearing on 13.02.2020.

3. Given the said facts that the Collector is already seized of the matter pursuant to the directives given by this court, in the opinion of this court the present writ petition as such would not be maintainable. The petitioner cannot be permitted to agitate for the same cause of action before the two forums. Moreover, the Collector is already seized of the matter and has fixed the case for hearing on 13.02.2020.
4. Given the said facts, this court disposes of the writ petition at this juncture holding it to be not maintainable and further directs the Collector, Bemetara to ensure that the petitioner's appeal is decided at the earliest.

Sd/-
(P. Sam Koshy)
Judge

inder