

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1971 of 2020

Maa Vrat Swa Sahayata Samuh, Kataud Through Its President, Smt. Champa Bai, Aged About 65 Years W/o Vsatram Chandra, R/o Village Katand, Tahsil Dhabra, District Janjgir-Champa (Chhattisgarh).

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department of Women and Child Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. District Collector District - Janjgir Champa (Chhattisgarh).
3. District Program Officer Department Of Woman And Child Development, District Janjgir Champa (Chhattisgarh).
4. Project Officer Unified Child Development Project, Jaijaipur, District Janjgir-Champa (Chhattisgarh).
5. District Level Committee For The Selection Evaluation Of Merits Of Self Help Groups For Supply Of Ready To Eat Meal Under Supplementary Nutritious Food Program, Through District Program Officer, Women And Child Development, District Janjgir Champa (Chhattisgarh).
6. Yamuna Swa Sahayata Samooh Kataud, Dhabra, District Janjgir Champa (Chhattisgarh).

---Respondents

For Petitioner	:	Shri Anadi Sharma, Advocate.
For Respondent-State	:	Shri Sidharth Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.09.2020

1. The challenge in the present writ petition is to the order Annexure P-1 dated 27.06.2020 passed by respondent No.3 whereby on the one hand the respondent No.3 has not given appropriate distribution of marks to the applicant in the course of selection of agencies for Mid-day Meal Services and on the same date i.e. on 27.06.2020 the respondent No.3 has also awarded the contract in favour of respondent No.6.
2. Plain reading of the order dated 27.06.2020 Annexure P-7 shows that authorities then had granted 30 days time for the petitioner to prefer an appeal before the District Collector. For the reasons best known the

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appeal has not been preferred by the petitioner then within the stipulated period as provided in Annexure P-7 and present writ petition now being filed in August, 2020.

3. Once when there is a provision of appeal and the provision of appeal having been duly intimated to the petitioner whereby the impugned orders were being passed, there was no reason why the petitioner should not have availed the said remedy.
4. Given the said facts, it would not be appropriate for this Court to entertain the writ petition at this juncture. The writ petition accordingly stands disposed of reserving the right of the petitioner to prefer an appeal to the District Collector along with the application for condonation of delay and on such appeal being preferred, it is expected that the District Collector shall consider and decide the appeal and the enclosed application along with the appeal in accordance with law at the earliest preferably within a period of 45 days from the date of filing of the appeal by the petitioner.
5. Petitioner is expected to file a appeal within a period of 10 days from the date of receipt of copy of this order.
6. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder