

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2068 of 2020**

1. Vandana Mahila Swasahayta Samuh Through Its President (Pardeshin Bai), Vandana Mahila Swasahayta Samuh (Registration No. 16230) Village And Post Amaldiha, Block Podi-Uproda, District Korba, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Women And Child Development, Mantralaya Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. The Collector District Korba, Office Of The Collector, District Korba, Chhattisgarh.
3. District Programme Officer Women And Child Development Office, Korba, District Korba, Chhattisgarh.
4. Project Officer Integrated Child Development Project, Podi-Uproda, District Korba, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Adv.
For State	:	Mr. Siddharth Dubey, Dy. G.A.

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 20.08.2020 whereby the District Officer has cancelled the work order in favour of the petitioner for providing Ready to Eat Meal under the Midday Meal Scheme of the Government awarded to the petitioner.
2. Counsel for the Petitioner referring to Annexure P/1 submitted that the impugned order Annexure P/1 shown to have been passed with the approval of the District Level Committee and the collector may be part of the Dist. Level Committee hence he would not be able to hear the appeal.
3. The State Counsel referring to a notification of the State Government dated 03.12.2019 submitted that under clause 8.1 & 8.2 of the scheme, the order passed by the District Programme Officer is challengeable by way of an appeal to the District Collector.

4. The State Counsel further referring to the aforesaid notification submitted that the District Level Committee does not consist of the District Collector and therefore, the appeal can be made to the District Collector for consideration. Moreover, the State Counsel submits that this Court itself, have already disposed of many similar writ petitions permitting the petitioner therein to prefer an appeal before the Appellate Authority.
5. Given the said submission by the Counsel for the parties, the writ petition at this stage is disposed of. Reserving the right of the petitioner to prefer an appeal before the District Collector at the earliest. Subject to the petitioner filing an appeal promptly, the District Collector is expected to take a decision after due consideration of the grounds and submission that the petitioner shall make in his memo of appeal. It is expected of the appellate authority to take a decision within 45 days from the date of receipt of appeal filed by the petitioner.
6. With the aforesaid observation/direction, the writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha