

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2344 of 2020**

Mahamaya Swa Sahayta Samuh Muchhel, through its Secretary, Smt. Dharmin Sahu, Situated At Village Muchhel, Tehsil Lormi, District Mungeli.,
District : Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Woman And Child Development, Chhattisgarh Rajya Mantralaya, Mahanadi Bhavan, P.S. Mandir Hasaud, Naya Raipur Chhattisgarh
2. District Program Officer, Woman and Child Development, District Mungeli Chhattisgarh
3. Collector Of Mungeli, Mungeli Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pallav Mishra, Advocate
For State/Res.2,3 & 4	:	Mr. Anand Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/10/2020**

1. The challenge in the present writ petition is to the advertisement Annexure P-1 dated 30.07.2020 issued by the District Programme Officer, Women and Child Development, District Mungeli whereby the advertisement has been issued for awarding of work to different women self help groups for the distribution of Mid-day Meal at the various Anganbadi Centers which includes Anganbadi Centers being operated by the present petitioners.
2. Contention of the petitioner is that the petitioner was awarded with a contract in the year 2015 and since then the petitioners have been

satisfactorily discharging their duties and responsibilities of providing Mid-day Meal at the Anganbadi Centers at Khairwarkhurd under Tahsil Lormi, District Mungeli. Counsel for the petitioner submits that since there is no allegation of any unsatisfactory performance of the petitioner, they ought not have been disturbed at this juncture and should have been permitted to continue with the contract. Similarly, it was also the contention that due weightage should be given to the experience that the petitioner has and also for the investment and installing of the infrastructure put by the petitioner.

3. Plain reading of the pleadings of the writ petition itself would reveal that the contract awarded to the petitioner in the year 2015 is coming to an end in the month of October, 2020. The fact that contract is coming to an end in October, 2020 and foreseeing this if the respondents have issued an advertisement for a fresh allotment of work, the same cannot be said to be unjustified or illegal in any manner. Moreover, from the policy of the State Government it does not reflect that petitioner would not be permitted to participate in the said selection process provided they participate in the same. On that ground also this Court finds it difficult to entertain the writ petition.
4. Once when there is a contractual period specified which as per the pleadings of the writ petition itself is coming to an end in October, 2020, the respondents are therefore justified in initiating steps in advance in ensuring that the fresh contract is awarded with the selected party from the said selection process.
5. As regards, the weightage, experience and investment that petitioner has made are all facts which has to be considered by the Selection

Committee subject to the petitioner participating in the same, this Court finds it difficult to entertain the writ petition.

6. It is made clear that since the respondents have already initiated selection process, it is expected that as long as the selection process is not finalized the petitioner would be permitted to continue discharging of their duties which they are presently discharging. However, the same shall not be construed as any right being created in their favour if the new selection is made by the respondents in accordance with law.
7. Reserving the right of the petitioner to participate in the selection process, if it still permits, the present writ petition at this stage stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit