

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1770 of 2021

Jai Maa Mahamaya Mahila Swayam Sahayata Samooh Udaipur Through Its President, Smt. Kalpana Bhadoriya W/o Shri Devendra Singh Bhadoriya Aged About 44 Years, R/o Village And Post Udaipur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The President, Women And Child Development Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh,
2. Collector Ambikapur, District Surguja Chhattisgarh,
3. Women And Child Development Officer, Ambikapur, District Surguja Chhattisgarh
4. District Programme Officer, Ambikapur, District Surguja Chhattisgarh,

---- Respondents

For petitioner – Shri Keshav Prasad Gupta, Advocate.

For State-Shri Akash Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

25/03/2021

Heard.

1. Learned counsel for the petitioner would submit that the advertisement dated 22/02/2021 (Annexure P-1) has been issued to grant ready to eat food for Udaipur whereas the petitioner is already holding an agreement to supply ready to eat food in the last drawn agreement from 1/04/2020 to 30/03/2021. It is contended that though the period of agreement has not yet expired yet the advertisement has been made which is contrary, thereby terms of agreement which is uptill 30/03/2021 cannot be superseded.
2. Prima facie after perusal of the documents, it shows that the petitioner is holding the agreement to supply ready to eat food till 30/03/2021. Prior to that on 22/02/2021 the fresh advertisement has been issued inviting to supply ready to eat food. It is obvious that before 30/03/2021 till the petitioner is holding the right to

supply he will have the right to do so but the exercise to allot a fresh supplier is required to be adopted prior to actual end of the agreement as otherwise for the period in between selection of fresh supplier and the supply would come to a standstill. The petitioner can very well participate pursuant to the advertisement to have a fresh period of agreement to supply ready to eat food, thereby may compete with the others. I do not find any rhyme or reason to stay the advertisement dated 22/02/2021 whereby fresh application have been invited for supply of ready to eat food.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE