VED PRAKASH DEWANGAN

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**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**REVP No. 298 of 2026**

**1 -** Smt. Ramleela Bhagat Smt. Ramleela Bhagat Aged About 50 Years R/o 81, Village Bangaon, Farsabahar, District Jashpur (C.G.) Sahayika At Awc Uraontoli, Sector Farasabahar, Project Farasabahar, District Jashpur (C.G.)

**2 -** Smt. Sumitra Paikra W/o Mahesh Painkra Aged About 48 Years R/o 120/1, Village Farasabahar,district Jashpur (C.G.) Sahayika At Awc Mahkultola, Sector Farasabahar, Project Farasabahar, District Jashpur (C.G.)

**3 -** Smt. Sabina Minj W/o Binod Minj Aged About 43 Years R/o 90, Ward No. 5, Village Matipahar Chharra, Farasabahar, District Jashpur (C.G.) Sahayika At Awc Junatoli, Sector Bhelwan, Project Farasabahar, District Jashpur (C.G.)

**4 -** Smt. Amarmati Kujur W/o Khristofar Kujur Aged About 48 Years R/o 459, Village Farsabahar, District Jashpur (C.G.) Sahayika At Awc Jhagarpur, Sector Farasabahar, Project Farasabahar, District Jashpur (C.G.)

**5 -** Smt. Sushila Patre W/o Narain Singh Aged About 59 Years R/o 263, Village Farsabahar, District Jashpur (C.G.) Sahayika At Awc Kapukona I, Sector Farasabahar, Project Farasabahar, District Jashpur (C.G.)

**6 -** Smt. Sushila Panna W/o Martin Panna Aged About 54 Years R/o 466, Village Bhelwan, Farsabahar, District Jashpur (C.G.) Sahayika At Awc Purvi Bhelwan, Sector Bhelwan, Project Farasabahar, District Jashpur (C.G.)

**7 -** Smt. Putli Bai W/o Laldev Sai Aged About 48 Years R/o Village

Pagurabahar, Kandaibahar, District Jashpur (C.G.) Sahayika At Awc Ganjubasti, Sector Pamshala, Project Tapkara-2, District Jashpur (C.G.)

**8 -** Smt. Khushmani Bai W/o Deonath Sai Aged About 46 Years R/o Village Sikirma, Menderbahar, District Jashpur (C.G.) Sahayika At Awc Sahtoli, Sector Pamshala, Project Tapkara-2, District Jashpur (C.G.)

**9 -** Smt. Shanta Kerketta W/o Ijidor Aged About 51 Years R/o 210, Ward No. 11, Village Amdiha, Project Tapkara-2, District Jashpur (C.G.) Sahayika At Awc Putlibasti, Sector Pamshala, Project Tapkara-2, District Jashpur (C.G.)

**10 -** Smt. Gangawati Bai W/o Dalapti Aged About 51 Years R/o 19, Village Kersai, District Jashpur (C.G.) Sahayika At Awc Ghansimunda, Sector Kersai, Project Tapkara-2, District Jashpur (C.G.)

**... Petitioners**

**versus**

**1 -** State Of Chhattisgarh Through The Secretary, Department Of Women And Child Development, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)

**2 -** State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)

**3 -** The Director Directorate Of Women And Child Development, Indravati Bhawan, Nawa Raipur (C.G.)

**4 -** The Collector District Jashpur (C.G.)

**5 -** The District Programme Officer (Wcd) District Jashpur (C.G.)

**6 -** The Child Development Project Officer (Cdpo) Integrated Child Development Project Tapkara-2, District Jashpur (C.G.)

**7 -** The Child Development Project Officer (Cdpo) Integrated Child Development Project Farasabahar, District Jashpur (C.G.)

**---- Respondents**

(Cause title taken from Case Information System)

| | | |
|---|---|---|
| For Petitioners | : | Mr. Vikash Agrawal, Advocate |
| For Respondents/State | : | Mr. Anand Dadariya, Deputy A.G. |

**Hon'ble Shri Krushna Ram Mohapatra, Chief Justice**
**Hon'ble Shri Ravindra Kumar Agrawal, Judge**

**Order on Board**

***Per* Krushna Ram Mohapatra, Chief Justice**

**05/10/2026**

1. The order dated 05.08.2026, passed by a coordinate Bench in W.A. No. 661 of 2026, is under review in the present petition.

2. Learned counsel for the petitioners submits that although the coordinate Bench, in paragraph 9 of the order sought to be reviewed, held that this Court has the discretion in entertaining an application under Article 226 of the Constitution even when an alternative remedy is available to the review petitioners, it refused to entertain the writ appeal and confirmed the order passed by the learned Single Judge. It is submitted that the order of termination of the review petitioners, passed by the Child Development Project Officer, was without jurisdiction, as the Chief Executive Officer (CEO) was competent to pass such an order. As such, the order of termination of the review petitioners was wholly without jurisdiction. Hence, a writ petition under Article 226 of the Constitution would be maintainable, as per the settled position of law.

3. It is further submitted that the grounds taken in the writ appeal were also not taken into consideration by the coordinate Bench while dismissing the appeal. He, therefore, submits that the order passed by the coordinate Bench in W.A. No. 661 of 2026 (Annexure P/1) deserves to be reviewed.

4. Mr. Dadariya, learned Deputy Advocate General, submits that entertaining an application under Article 226 of the Constitution is a matter of discretion and not of jurisdiction, as rightly held by the coordinate Bench. This Court may have jurisdiction to entertain an application under Article 226 of the Constitution, but may refuse to exercise its discretion when an efficacious statutory remedy is available to the petitioners by way of an appeal before the Collector. The very fact that the review petitioners had not approached the appellate authority, which is competent to entertain the objections raised by the petitioners both in the writ petition and in the writ appeal, was taken into consideration, and both the writ petition as well as the writ appeal were rightly dismissed.

5. Taking note of the submissions made by learned counsel for the parties, this Court finds that the petitioners have an efficacious remedy of appeal against the order of termination before the concerned Collector, as provided under Clause 11 of the guidelines dated 02.04.2008. The review petitioners have not availed the efficacious remedy of appeal till date, as fairly admitted by learned counsel for the review petitioners. In such circumstances, consideration of the grounds raised by the petitioners in the writ appeal on merits does not arise, as both the Writ Court as well as the Appellate Court refused to entertain the grievance of the petitioners

on the ground of availability of an efficacious statutory remedy. Consideration of the grounds raised by the petitioners in the writ appeal may otherwise prejudice the case of either of the parties before the appellate authority.

6. In view of the above, we find no ground to review the order dated 05.08.2026 passed by the coordinate Bench in W.A. No. 661 of 2026. Accordingly, the review petition, being devoid of merit, stands **dismissed**.

Sd/-
**(Ravindra Kumar Agrawal)**
Judge

Sd/-
**(Krushna Ram Mohapatra)**
Chief Justice

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