



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24687 of 2025

Basudev SHG Teramanpur, Rahama ***Petitioner***
Represented by

Mr. G.N. Rout, Advocate

-Versus-

State of Odisha & Others ***Opp. Parties***
Represented by

Mr. S. Behera,
Additional Government Advocate

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
27.11.2025

Order No.
03.

1. This matter is taken up through hybrid mode.
2. The order dated 15.07.2025 passed by the Director in ICDS & SW in the Department of W & CD and MS, Odisha is impugned. Mr. Rout, learned counsel for the petitioner draws attention of the Court to the documents enclosed under Annexure-11 series, which are series of testing reports of the Joint Director-Cum-Chief Food Analyst. The testing relates to sample of Chhatua prepared by Nilakantheswar SHG (petitioner).
3. He submits referring to the heading 'Subject' of one of such reports which reveals that the sample was received on 15.12.2024 but the report was prepared on 11.11.2024, which is practically impossible. In any case, all the reports enclosed show that the general quality of the chhatua was found to be satisfactory.
4. It is further submitted that the appeal was preferred by the petitioner's lawyer and he was also granted pass (Annexure-13



Series) to attend the hearing but the Director did not allow the said lawyer to participate in hearing for which the matter could not be properly placed. It is further submitted that the report basing on which decision was taken to rescind the contract with the petitioner group relates to the year 2023-24. The contract with it was renewed for the subsequent year i.e., 2024-25, which disproves the allegation of poor performance.

5. Learned State counsel submits that all the aspects have been considered and dealt with appropriately by the Director.

6. This Court observes that the matter involves disputed questions of fact. The contention of the petitioner regarding discrepancy in the dates mentioned in the laboratory testing reports prima facie appears to be acceptable. Moreover, there is no reason as to why the petitioner shall not be allowed to be represented by its lawyer.

7. Taking into consideration all these facts, the impugned order is set aside. The matter is remitted to the Director for rehearing of the appeal after granting opportunity to the petitioner to put forth all grounds available to it. It goes without saying that if the petitioner desires to be represented by a lawyer, the same shall be allowed. A decision shall be taken within two weeks from the date of production of certified copy of this order by the petitioner.

(Sashikanta Mishra)
Judge