



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22272/2025,
W.P.(C) No.23182/2025,
W.P.(C) No.23215/2025,
W.P.(C) No.23274/2025,
W.P.(C) No.23278/2025,
W.P.(C) No.23289/2025,
W.P.(C) No.23296/2025,
W.P.(C) No.23496/2025,
W.P.(C) No.28851/2025,
W.P.(C) No.32549/2025,
W.P.(C) No.32954/2025,
W.P.(C) No.32959/2025, and
W.P.(C) No. 32962/2025

(Applications under Articles 226 and 227 of the Constitution of India)

A.F.R. W.P.(C) No. 22272/2025

Uma Maheswar WSHG ... Petitioner

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23182/2025

Maa Biraja Women Self Help Group ... Petitioners

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23215 / 2025

Mahalaxmi Shaktidal Self Help Group ... Petitioners

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23274 / 2025

Maa Bhabani Self Help Group, Bankipali,
Subarnapur ... Petitioners

-versus-

State of Odisha & others ... Opposite Parties



W.P.(C) No. 23278 / 2025

Samaleswari Self Help Group, Digsira,
Subarnapur ... Petitioners

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23289 / 2025

Laxmi Narayan Women Self Help Group,
Chinajuri, Subarnapur ... Petitioners

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23296 / 2025

Aparna Self Help Group, Subarnapur ... Petitioner

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 23496 / 2025

Baba Sidheswar WSHG & Ors ... Petitioner

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 28851 / 2025

Jay Hanuman Self Help Group,
Subarnapur Petitioner

-versus-

State of Odisha & others ... Opposite Parties

W.P.(C) No. 32549 / 2025

Jay Hanuman Self Help Group,
Subarnapur ... Petitioner

-versus-

State of Odisha & others ... Opposite Parties



W.P.(C) No. 32954 / 2025

Maa Mauli Self Help Group,
Subarnapur

...

Petitioner

-versus-

State of Odisha & others

...

Opposite Parties

W.P.(C) No. 32959 / 2025

Subarnagrahi Self Help Group,
Subarnapur

...

Petitioner

-versus-

State of Odisha & others

....

Opposite Parties

W.P.(C) No. 32962 / 2025

Biswanarayani Self Help Group,
Subarnapur

...

Petitioner

-versus-

State of Odisha & others

...

Opposite Parties

Advocates appeared in the case through hybrid mode:

For Petitioner(s)

: M/s. Srinivas Mohanty, K. Patra,
S.R. Mohanty & E. Dash, Advocates
[In W.P.(C) Nos.22272 & 23496 of 2025]

M/s. Sarada Dash, Sumant Bhuyan,
Asit Kumar Nayak, Sriketra Mishra
[in W.P.(C) Nos.23182, 23215, 23274,
23278, 23289 & 23296 of 2025]

M/s. Manoj Kumar Mohanty, T. Pradhan
A.Mohanty, M.Mohanty, Advocates
[In W.P.(C) Nos. 28851, 32549, 32954,
32959 & 32962 of 2025]



For Opposite Parties : Mr. S.N. Patnaik, Addl. Govt. Advocate

M/s. Banshidhar Satapathy, & S.S.
Samantaray, Advocates
[For Intervenor in W.P.(C) Nos.22272
of 2025]

M/s. Manoj Kumar Mohanty,
M.Mohanty, S.D. Pattanaik, T. Pradhan
A.Mohanty T.M.Rout, Advocates
[For Intervenor in W.P.(C) Nos.22272,
23496 of 2025]

M/s. Durga Prasana Das, Prabudha
Kumar Pattanaik, Advocates
(For OP-3 in W.P.(C) No. 23496 of 2025)

CORAM:

JUSTICE SASHIKANTA MISHRA

JUDGMENT

19th December 2025

SASHIKANTA MISHRA, J. All these writ petitions involve common facts and being heard together, are disposed of by this common judgment.

Case of the Petitioners

2. Bereft of unnecessary details, the case of the petitioners is as follows-

2.1 The petitioners in W.P.(C) Nos. 22272 of 2025, 23182 of 2025, 23215 of 2025, 23274 of 2025, 23278 of 2025, 23289 of 2025, 23296 of 2025 and 23496 of 2025 are



Women's Self Help Groups (WSHGs) who claim to have been duly selected for procurement of paddy pursuant to the Guidelines issued in the year 2019 through an open invitation of Expression of Interest (EOI), for various Blocks in the district of Subarnapur. Upon such selection, they were engaged in Kharif paddy and Rabi crop procurement operations for the last four years on behalf of the State Government through its agency, namely, the Odisha State Civil Supplies Corporation (OSCSC). In the present cases, they challenge their exclusion in the paddy procurement exercise being conducted for the current year (2025-26) without assignment of any reason and by restricting procurement activities exclusively to PACS, and consequentially, seek quashing of the orders dated 16.07.2025 passed by the Collector, Subarnapur, inviting 20 SHGs to make farmer registration for KMS 2025-26, and the order dated 22.07.2025 passed by the Collector, Subarnapur, intimating that, for smooth and hassle-free procurement of paddy during KMS 2025-26, the registration of farmers will exclusively be done by all PACS.



2.2 The petitioner in W.P.(C) No. 23881 of 2025 is also a Women's Self Help Group, which was selected in the year 2024 pursuant to an invitation for Expression of Interest issued for engagement as agent of OSCSC for Kharif Paddy Procurement, 2024-25, for Kadodar Gram Panchayat under Ulunda Block. Such selection was made owing to alleged mismanagement on the part of the Uma Maheswar SHG (petitioner in W.P.(C) No. 22272 of 2025), resulting in replacement and appointment of the present petitioner group. The petitioner similarly challenges its subsequent exclusion without assignment of reasons and the restriction of procurement activities exclusively in favour of PACS, and seeks quashing of the aforementioned orders dated 16.07.2025 and 22.07.2025.

2.3 The petitioners in W.P.(C) Nos. 32549 of 2025, 32954 of 2025, 32959 of 2025 and 32962 of 2025 are also Women's Self Help Groups, who challenge the inaction of Opposite Party No. 2 in not issuing a fresh invitation of Expression of Interest as well as the orders dated 16.07.2025 and 22.07.2025, whereby they have been debarred from participating in paddy procurement for the KMS 2025-26, despite their willingness to participate and though they were



not previously engaged in the procurement process except the Petitioner in WPC No. 32549 of 2025.

Stand of the Opposite Party No.2

3. Counter affidavit has been filed by Opposite Party No. 2 in W.P.(C) Nos. 22272 of 2025 and 23496 of 2025, which has been adopted in all the connected writ petitions. The stand of Opposite Party No. 2 is that since the initiation of the 2019 Guidelines, the Women's Self Help Groups selected thereunder were allowed to continue uninterruptedly till the year 2024, and no fresh Expressions of Interest were issued during the period 2019 to 2024.

3.1 It is further stated that on 12.07.2024, the Government in the Food Supplies and Consumer Welfare Department took a decision to review the performance of the Women's Self Help Groups that had been continuously engaged in paddy procurement since 2019. Pursuant to the said decision, a performance assessment of the WSHGs was undertaken across all Blocks of the District of Subarnapur. Thereafter, in a Sub-Division Level Meeting held on 14.11.2024, it was found that in several Blocks, instances of mismanagement by certain WSHGs had occurred, including, inter alia, issues relating to registration irregularities,



inadequate management of Paddy Procurement Centres (PPCs), lack of infrastructure in mandis, delay in transfer of Minimum Support Price (MSP) to farmers, non-cooperation with Government officials, irregular conduct of SOLPC meetings, lack of awareness among farmers regarding MSP and FAQ norms, non-completion of OPLS satellite land surveys within the stipulated time, non-clearance of error accounts resulting in delay of MSP payments, improper maintenance of records, and non-adherence to the five golden principles of WSHGs, etc.

3.2 Consequently, for ensuring smooth procurement of paddy, safeguarding the interests of farmers, and for proper implementation of the Government's food grain procurement policy, the Committee recommended rearrangement and replacement of certain WSHGs/Federations for engagement as agents of OSCSC for Kharif Paddy Procurement, 2024-25, in specific areas, namely, certain Gram Panchayats, in place of the existing WSHGs.

Submissions

4. Heard Mr. S. Mohanty, learned Counsel appearing for the Petitioners in WP(C) Nos. 22272 & 23496 of 2025, Mr. S. Dash learned Counsel appearing for the Petitioners in WP(C)



Nos. 23182, 23215, 23274, 23278, 23289 and 23296 of 2025, Mr. M.K Mohanty learned Counsel appearing for the Petitioners in WP(C) Nos.23881, 32549, 32954, 32959 and 32962 of 2025 and Mr. S.N Patnaik, learned Addl. Government Advocate for the State.

5. Mr. S. Mohanty would argue that the petitioners, having been duly selected pursuant to the 2019 Guidelines through an open Expression of Interest, were allowed to function satisfactorily for several consecutive years and, therefore, could not have been suddenly excluded without any reasoned order or prior notice. He also submits that the performance review allegedly undertaken by the State in July–November 2024 was neither transparent nor objective. It was contended that the petitioners were never informed of the parameters of assessment, nor were they given any opportunity to explain or rectify the alleged deficiencies. The findings recorded in the Sub-Division Level Meeting dated 14.11.2024 were assailed as vague, generalised and unsupported by specific material by him. It was also contended by him that disengagement of the petitioners without issuance of any show-cause notice or grant of opportunity of hearing amounts to gross violation of the



principles of natural justice, particularly when such disengagement results in exclusion from future procurement activities.

6. Mr. S. Dash adopts the submissions made by Mr. S. Mohanty.

7. Mr. M.K. Mohanty would argue that the 2019 Guidelines contemplates issuance of Expression of Interest and the failure of the State to issue fresh EOIs from 2019 to 2024, while allowing the same set of agencies to continue, is contrary to the policy framework and defeats the object of transparency and equal opportunity. According to Mr. Mohanty, such continuation of selected entities for years together without opening the field to competition amounts to discrimination and confers an unfair monopoly. He further submits that the action of the State in restricting procurement activities exclusively in favour of PACS, while excluding WSHGs, is arbitrary and contrary to the very object of the 2019 Guidelines, which were framed with the aim of empowering Women's Self Help Groups and ensuring their participation in public procurement. Such exclusion, according to the petitioners, defeats the goal of inclusive growth and women empowerment. He also submits that non-



issuance of a fresh Expression of Interest for KMS 2025–26, is contrary to the Guidelines and hence, arbitrary as it has unfairly deprived eligible WSHGs of an opportunity to participate. He argues that the willingness of the petitioners to participate, along with the absence of any subsisting contractual arrangement in their favour, entitled them at least to a fair consideration through an open selection process.

8. Per contra, Mr. Patnaik would argue that no legal or enforceable right of the petitioners has been infringed so as to warrant interference under Article 226 of the Constitution of India. It was contended that engagement of WSHGs as procurement agents under the 2019 Guidelines is purely policy-driven and administrative in nature, and does not confer any vested or perpetual right to continue in such engagement. He would further submit that the continuation of the petitioners from 2019 till 2024 was only by way of administrative arrangement, and not as a matter of right. The State, in its wisdom, was entitled to review the functioning and performance of the WSHGs in larger public interest, particularly when serious complaints were received regarding mismanagement in paddy procurement affecting farmers and timely MSP payments.



8.1. It was further argued that the policy decision dated 12.07.2024 to undertake performance assessment of WSHGs was taken at the highest level of the Government and pursuant thereto, an objective evaluation was conducted across the district. The findings recorded in the Sub-Division Level Meeting dated 14.11.2024 were based on ground-level reports of field functionaries and reflected systemic deficiencies on the part of several WSHGs, which necessitated immediate administrative intervention to ensure smooth procurement operations.

8.2. He also submits that paddy procurement is a time-bound and sensitive activity involving food security and livelihood of farmers, and therefore, the principles of natural justice cannot be applied in a straitjacketed manner. According to him, issuance of individual show-cause notices and conduct of hearings would have delayed the procurement process, adversely impacting public interest. In such circumstances, the State was justified in taking prompt corrective measures.

8.3. With regard to non-issuance of fresh Expression of Interest for KMS 2025–26, Mr. Patnaik submits that issuance of EOI is not mandatory in all circumstances and the



Guidelines do not create an indefeasible right in favour of any WSHG to demand issuance of EOI. The State, depending upon administrative exigencies and policy priorities, is competent to adopt alternative mechanisms for engagement of procurement agencies.

Analysis and Findings

9. This Court has heard learned counsel for both parties and examined the pleadings, documents placed on record and the policy governing engagement of Women's Self Help Groups (WSHGs) in paddy and Rabi crop procurement.

10. It cannot be disputed that the engagement of WSHGs under the 2019 Guidelines is administrative and a matter of policy-of the State. The Guidelines contemplate issuance of Expression of Interest (EOI). Such stipulation cannot however be read as conferring any statutory or vested right either upon the existing WSHGs to continue indefinitely or upon new aspirants to insist upon issuance of EOIs as a matter of right. The Guidelines are executive instructions framed to facilitate effective procurement and necessarily permit a degree of administrative flexibility.



11. The materials on record disclose that from 2019 to 2024, the State consistently followed the practice of continuing the already selected WSHGs and did not issue fresh EOIs during the said period. Such continuation was uniform and not shown to be selective or discriminatory. Significantly, this decision was never challenged by any person/group. Mere deviation from a procedural prescription in an executive guideline, in the absence of demonstrable arbitrariness, malafides or violation of statutory provisions does not in the considered view of this Court, render the action of the State illegal.

12. The decision dated 12.07.2024 to undertake a performance review of WSHGs that had been continuously engaged since 2019 was a policy decision taken in public interest, aimed at ensuring transparency, accountability and efficiency in procurement of food grains. Pursuant thereto, a district-wide assessment was undertaken in all Blocks of Subarnapur. The petitioners have failed to establish that such assessment was conducted on extraneous considerations or in a manner lacking objectivity. Moreover, said decision was also not challenged within a reasonable time.



13. The record of the meeting held on 14.11.2024 reveals that the Government adopted a principle whereby, WSHGs having satisfactory track record were permitted to continue, PACS were preferred where necessary, and EOIs were issued only in those areas where mismanagement was reported. Such classification based on performance has a direct nexus with the object sought to be achieved, namely, smooth and efficient procurement, and therefore, in the considered view of this Court, does not violate Article 14 of the Constitution of India.

14. The grievance of the petitioners that their disengagement is vitiated for want of prior notice and opportunity of hearing has also not been considered by the Opposite Party No.2. It is well settled that the principles of natural justice are not rigid or inflexible and their application depends upon the nature of the right involved and the consequences flowing from the decision. In the present case, engagement of the WSHGs was purely contractual and policy-based, subject to review of performance. Continuation from year to year did not confer any indefeasible right to remain engaged indefinitely. In this regard, reference may be made to



the judgment of the Supreme Court in **Sarat Kumar Dash v. Biswajit Patnaik**¹, wherein it has been held that-

*“11. The next question is whether omission to record reasons amounts to violation of the principles of natural justice. The principle of audi alteram partem is a basic concept of the principle of natural justice. The omnipotency inherent in the doctrine is that no one should be condemned without being heard or given an opportunity to the person affected to present his case before taking the decision or action. In the field of administrative action, this principle has been applied to ensure fair play and justice to the affected person. However, the doctrine is not a cure to all the ills in the process. Its application depends upon the factual matrix to improve administrative efficiency and expediency and to meet out justice. The procedure adopted would be just and fair. The reasons are links between maker of the order or the author of the decision and the order itself. The record is called to consider whether he has given due consideration to the facts placed before him before he arrives at the decision. Therefore, the reasons in the order or found from the record bridges the link between the maker of the order and the order itself or decision. Therefore the natural justice is not a rigid nor an inflexible rule. It should be applied to a given fact situation, depending upon the background of the statutory provisions, nature of the right which may be affected and the consequences that may entail. It is already seen that the Commission evolved the objective criteria in awarding marks to the given grading of the candidates and on its basis recommended their cases for promotion. In R.S. Dass case [1986 Supp SCC 617 : (1987) 2 ATC 628] this Court held that the grading itself is a reason and no separate reasons in that behalf in arranging the order of merit need be given. The grading is to obviate the need to record reasons. The finding of the Tribunal that the selection by PSC without recording reasons or need to record separately the reasons for evolving the criteria for selection is also clearly illegal.”
[Emphasis Added]*

15. The disengagement of certain WSHGs does not appear to be by way of a penal action or stigmatic, but the

¹ 1995 Supp (1) SCC 434



outcome of a general policy decision based on a district-wide performance evaluation. The assessment relied upon contemporaneous records relating to procurement operations, in which the petitioners themselves were participants. No blacklisting, debarment or civil disability has been imposed upon them. In such circumstances, insistence on individual show-cause notices or personal hearings cannot be treated as mandatory.

16. This Court also takes note of the fact that the disengagement was accompanied by issuance of EOIs in the concerned areas, which demonstrates that the action was corrective and administrative, rather than punitive. In the absence of any material to show malafides, victimisation or colourable exercise of power, this Court is of the view that the principles of natural justice stood substantially complied with, having regard to the nature of engagement and the limited civil consequences involved.

17. So far as the issuance of fresh EOIs for the year 2025 is concerned, this Court finds that mere willingness to participate does not give rise to any enforceable legal right. A writ of mandamus can be issued only where a legal duty exists



and is shown to have been breached. As long as procurement operations are being carried out through subsisting WSHGs with satisfactory performance records, the State cannot be compelled to issue EOIs merely to accommodate new entrants.

18. This Court, while exercising jurisdiction under Article 226 of the Constitution, does not sit as an appellate authority over administrative or policy decisions. Interference is warranted only where the decision is shown to be arbitrary, malafide or violative of statutory provisions. No such infirmity has been demonstrated in the present case.

19. For the foregoing reasons, therefore, this Court finds no ground to interfere with the impugned actions of the Opposite Party no.2 in exercise of its writ jurisdiction. Nevertheless, keeping in view the broader objective of women empowerment and inclusive participation, this Court considers it appropriate to observe that the Government should, at the policy level, consider providing adequate opportunity to new Women's Self Help Groups in subsequent procurement years as well as to those SHGs which were earlier debarred on account of mis-management, subject to their satisfying the essential parameters in accordance with the prescribed norms,



by making such modifications in the existing guidelines or procedures as may be deemed appropriate, without compromising efficiency, transparency and continuity of the procurement process.

20. The writ applications are disposed of accordingly.

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Sashikanta Mishra,
Judge

Orissa High Court, Cuttack
The 19th December, 2025/ A.K. Rana, P.A.