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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1002 of 2015**

Shri Dauji Chawal Udyog, Sirri, Kharora Through its Proprietor Prahlad Kumar Pandey S/o Late D.R.Pandey, aged about 46 years, R/o village Sirri, Tahsil Kharora, Raipur, Police Station & Post Raipur, Civil & Revenue District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through: Secretary, Food Civil Supplies and Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. Chhattisgarh State Cooperative Marketing Federation Limited, Through its Managing Director, Raipur, District Raipur, Chhattisgarh.
3. District Marketing Officer, State Cooperative Marketing Federation Limited, Raipur, Nutan Kishan Rice Mill Premises, Ram Sagar Paragraph, Raipur, District Raipur, Chhattisgarh.
4. Collector, Raipur, District Raipur, Chhattisgarh.
5. Additional Tahsildar, Kharora, Tahsil Kharora, Raipur, Civil & Revenue District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate.
For Respondents 1, 4 & 5	:	Shri UNS Deo, Government Advocate.
For Respondents 2 & 3	:	Dr. N.K.Shukla, Senior Advocate with Shri S.S. Tiwari, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board**Per Navin Sinha, Chief Justice****19/06/2015**

1. The writ petition was directed to be placed before the Division Bench in view of pendency of Writ Petition (C) No. 958 of 2015 on a similar issue before us.
2. The controversy relates to supply of milled rice by the Petitioner under a contract executed between the parties.
3. Learned Counsel for the Petitioner submits that the Respondents have ex-parte adjudicated the financial liability of the Petitioner consequent to its failure to supply full quantity of milled rice as per the agreement. Pursuant

thereto the Respondents have also invoked the bank guarantee furnished by the Petitioner and then resorted to proceedings under Section 146 of the Chhattisgarh Land Revenue Code for recovery of the balance amount as adjudicated by them. The Petitioner does not challenge the adjudication of financial liability done by the Respondents. It only seeks extension of time by four months to supply the shortfall in the quantity of milled rice as granted to another in Writ Petition (C) No. 958 of 2015.

4. Learned Senior Counsel for Respondent Nos. 2 and 3 submits that it is a speculative matter at this stage whether the financial liability as adjudicated would be met by the milled rice proposed to be supplied by the Petitioner.

5. Learned Counsel for the State opposes grant of further time by four months for supplying the balance quantity of milled rice.

6. Considering the order already passed by us in Writ Petition (C) No. 958 of 2015 and followed in Writ Petition (C) No. 613 of 2015 and 629 of 2015, the present writ petition is also disposed in similar terms granting four months time to the Petitioner for supply of the balance milled rice. We are informed that the rice mill of the Petitioner has been sealed by the Respondents. Needless to add that the Respondents shall permit the Petitioner to operate the rice mill upon presentation of a copy of the order. If the Petitioner fails to abide by its undertaking for supply of the balance quantity of milled rice according to the agreement in four months from the date he is permitted to operate, the Respondents shall be at liberty to take steps in accordance with law after expiry of the period. The present order shall be no impediment thereafter.

7. The writ petition stands disposed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE