

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.1608 of 2015

M/s Manjisha Agro Product Industrial Area, Plot No. 9, Adkachepada Para
Kondagaon District Kondagaon Through, Partner Navin Kumar Golcha S/o Shri
Mulchand Golcha, Aged About 40 Years R/o Main Road, Opposite Bus Stand
Kondagaon, P.S. Kondagaon, District Kondagaon Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Food, Mahanadi Bhawan, Mantralay, P/s Naya Raipur Chhattisgarh
2. Collector, (Food) Collectorate Premises Kondagaon, District Kondagaon, Chhattisgarh,
3. Food Officer Kondagaon, Collectorate Premises Kondagaon, District Kondagaon, Chhattisgarh,
4. Regional Officer, Regional Office Chhattisgarh Enviornment Conservation Board, Jagdalpur District Basatar, Chhattisgarh
5. Krishi Upaj Mandi Samiti Kondagaon, Through Its Mandi Secreary, P.S. Kondagaon, District Kondagaon Chhattisgarh

---- Respondents

For Petitioner	:	Shri Avinash K. Mishra, Advocate
For Respondent No.1 to 3	:	Shri Ramakant Pandey, GA
For Respondent No.4	:	Shri Sudhir Bajpai, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/03/2016

Heard.

2. A short issue arising for consideration in this case with regard to discrepancy in the matter of calculation. The petitioner has given details of calculation in para 9.3 of the petition to submit that the impugned order has been based on miscalculation of various figures relating to the weight of the bags.
3. Learned State counsel has filed its return and submits that as per the calculation

given in para 11 of the reply, the calculation was just and proper.

4. The entire petition revolves only on the aspect of mathematical calculation and nothing more. Objection with regard to existence of alternative remedy in clause 10 of the Control Order, 2009, is liable to be rejected, because the appeal is confined only to particular nature of order and not every kind of orders including the order which has been passed.

5. Considering that the interest of justice, at this stage, would be served, if the Collector is directed to consider the specific claim of calculation aspect, this petition is finally disposed off. The respondent-Collector shall examine the matter and upon examination of various calculation submitted by the petitioner, pass fresh orders.

SD/-
Manindra Mohan Shrivastava
Judge