NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3058 of 2017

Pyarelal Tarak S/o Late Pakluram Tarak, Aged About 68 Years
R/o Village Panduka, Tahsil Chhura, District Gariyaband (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture And Sahakarita, Mantralaya, Mahanadi Bhavan, Naya Raipur, District Raipur (Chhattisgarh).

2. Director Agriculture And Sahakarita Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.

3. Chhattisgarh State Co-Operative Marketing Federation, Raipur, Through Its Managing Director Ketala Bhawan Civil Line, Raipur (Chhattisgarh).

4. Zila Sahakari Kendriya Bank Maryadit, Raipur, Through Its Chairman/ Authorized Officer G. E. Road, Raipur (Chhattisgarh).

5. Chief Executive Officer, Zila Sahakari Kendriya Bank Maryadit, Raipur, Chaubey Colony G. E. Road, Raipur (Chhattisgarh).

6. Registrar, Co-Operative Floor- III, Indrawati Bhawan Naya Raipur, Raipur (Chhattisgarh). ..**Respondents**

For Petitioner	:	Mr. Mateen Siddiqui, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer
For Respondent/Bank	:	Mr. S.C. Verma, Advocate with Mr. Rajat Agrawal, Advocate

---

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/07/2017

Heard.

1. The petitioner has filed this writ petition challenging the order of recovery passed by the District Central Cooperative Bank Limited, Raipur.

2. The petitioner was allegedly entrusted with certain quantities of

agricultural products like seeds, organic fertilizer and other chemicals. The petitioner was required to sell/distribute the products to the Primary Agricultural Credit Cooperative Societies; however, he failed to dispose off the entire quantity because he had collected the materials in large quantities, over and above the quantity which he could actually sell to the Primary Credit Cooperative Societies within his jurisdiction.

3. Admittedly, the petitioner has not been given any opportunity of hearing before making the subject recovery. At this stage, Shri Verma, learned counsel appearing for respondent-Bank would submit that if the petitioner makes a representation submitting in detail the grounds on which he can prove his innocence, the Bank is willing to give him an opportunity and pass fresh order in accordance with law.

4. In view of the above, the writ petition is disposed off with a direction that in the event the petitioner makes a representation before the respondent-Bank within a period of one month from today, the Bank shall consider and decide the representation on its own merits and pass a reasoned order after giving opportunity of hearing, including personal hearing to the petitioner.

5. If the occasion so arises, the petitioner would be at liberty to move afresh before this Court.

Sd/-
(**Manindra Mohan Shrivastava)**

J U D G E

Rekha