

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Civil Case No. 566 of 2017**

Chhattisgarh Pradesh Rice Millers Association (A Registered Society) 2nd Floor Adeshwar Complex, Punjab Oil Mill Gally, Ramsagar Para, Raipur, Tahsil & District Raipur, Chhattisgarh. Ph. 0771-4009995. Through Its Secretary Mr. Vijay Tayal @ Vijay Kumar Agrawal S/o Shri Mohan Lal Agrawal, Aged 43 Year, R/o (Shri Hanuman Rice Mills) Ward No. 4, Ganjpara, Belha, Tahsil Belha, District Bilaspur, Chhattisgarh. Pin 495224.

---- Petitioner**Versus**

1. Union of India Through The Secretary, Food & Public Distribution, Ministry of Consumer Affairs, Food & Public Distribution, Ministry of Consumer Affairs, Food & Public Distribution, Krishi Bhawan, Dr. Rajendra Prasad Ropad, New Delhi, Pin 110001.
2. State of Chhattisgarh, Through the Secretary, Food, Civil Supplies & Consumer Protection Department, Mantralaya, Mahanadi Bhawan, Sector 19, Rakhi 1, Naya Raipur, Raipur, Chhattisgarh, PIN 492101.
3. The Food Corporation of India Limited through Its Chairman Cum Managing Director, 16-20 Barakhambha Lane, New Delhi, PIN 110001.
4. Chhattisgarh Civil Supplies Corporation, Through Its Managing Director, The Hitvad Bhawan, Awanti Vihar, Headquarters, Raipur, Chhattisgarh, PIN 492006.
5. Chhattisgarh State Co-operative Marketing Federation Limited, Through Its Managing Director, 880, Civil Lines, Headquarters, Raipur, Chhattisgarh, PIN 492001.

---- Respondents

For Petitioner	:	Shri Rajkamal Singh, Advocate.
For respondent/State	:	Shri UNS Deo, Govt. Advocate.
For respondent No.3	:	Smt. Hamida Siddique, Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per, Thottathil B. Radhakrishnan, CJ****29/08/2017**

1. This application has been filed seeking modification of the order dated 04.05.2017 rendered in Writ Petition (C)No.3246 of 2016. As is discernible from the order dated 04.05.2017, this court had left open the right of the

petitioner to make a representation. We say so because the direction was that the competent authority ought to consider the representation in which the petitioner may highlight its grievance.

2. There is no occasion for us in this application for modification, to arrive at a conclusion as to modality in which action ought to have been taken by the competent among the official respondents. If we were to direct that test milling of paddy at the rice mill level in the State of Chhattisgarh have to be carried out to fix the Out Turn Ratio of custom milling rice for the State of Chhattisgarh, we would be contradicting the findings in the judgment sought to be modified, that adjudication of such issue is not within the domain of the courts. May be, the petitioner could resort to such remedies as should be available against the contents of the decision rendered and communicated along with Annexure A/3. That cannot pave way to any modification of the order issued by this court on 04.05.2017 in the writ petition. Thus, the application for modification fails.
3. In the result, this application is dismissed without prejudice to contentions in an appropriate jurisdiction, as may be available in accordance with law.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(P.Sam Koshy)
Judge