

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1011 of 2017

Sanjay Kumar Jain, S/o. Late Saddhulal Jain, Aged About 55 Years,
R/o. Near Jain Mandir, Pendra, Tahsil Pendra, District Bilaspur
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Cooperative Department, Mahanadi Bhawan, Mantralaya, New Raipur (Chhattisgarh)
2. The Manager, Adim Jati Sahakari Samiti, Pendra, Registration No. 3079, District Bilaspur (Chhattisgarh)
3. The Additional Collector, Pendraroad, District Bilaspur (Chhattisgarh)
4. The Sub Divisional Officer (Revenue), Pendraroad, District Bilaspur (Chhattisgarh)
5. The Tahsildar, Pendra, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Dharendra Mishra, Advocate

For Respondents/ State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.04.2017

Heard

1. The instant petition has been filed for a direction to the respondents to purchase the paddy of 106 bags and pay the consideration amount.
2. Learned counsel for the petitioner submits that State is purchasing the paddy, it is an appropriate case in which the respondents may be directed to purchase the paddy and pay the consideration amount. It is further submitted that if the respondent No.2 was not interested to purchase the paddy, the petitioner should not be kept waiting at the Paddy Procurement Center and since the petitioner was required to wait without any reason, the respondents may be directed to purchase the paddy.

3. Perused the pleadings of the petition and the documents filed along-with petition.
4. The petitioner in this case seeks direction to the respondents to purchase the paddy. It is settled that the Court in exercise of its power under Article 226 of the Constitution cannot direct such forceful procurement to purchase the paddy by the respondents. It is within their administrative domain to purchase paddy or not. Had it been a case of one unequal treatment, the Court could have examined the issue but it is not a case of the petitioner. Taking into totality, the relief claimed by the petitioner cannot be exceeded to and such relief cannot be granted.
5. In a result, the petition has no force and accordingly it is dismissed.

ashok

Sd/-
(Goutam Bhaduri)
Judge