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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2511 of 2018**

- M/s Seth Banshidhar Kedia Paddy Private Limited, Having Its Office At Kedia Gram, Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh. Through Its Proprietor Pramod Kedia, Aged About 58 Years, S/o Late Abirchand Kedia, R/o Kedia Gram, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.,

**--- Petitioner****Versus**

1. Chhattisgarh State Co-Operative Marketing Federation Ltd Raipur, Through Its Managing Director, 6th Floor, Tower C, Commercial Complex, C.B.D. Sector-21, New Raipur, District Raipur Chhattisgarh
2. District Marketing Office, Baloda Bazar- Bhatapara, Through District Marketing Officer, Baloda Bazar Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh
3. Collector Baloda Bazar Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh

**---- Respondent**


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|-----------------------|-------------------------------------------------------|
| For Petitioner        | Mr. Vishnu Koshta and Mr. Shobhit Koshta<br>Advocates |
| For Respondents 1 & 2 | Mr. Prafull Bharat, Advocate                          |
| For Respondent No.3   | Mrs. Astha Shukla, Panel Lawyer                       |

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**Order On Board By****Hon'ble Mr. Justice Prashant Kumar Mishra****13/11/2018**

1. Heard.
2. The dispute brought before this Court in this petition under Article 226 of the Constitution of India is for payment of

incentive under clause 9 of the Custom Milling Agreement between the parties.

3. The petitioner approached this Court in WPC No.1469 of 2018, when the Mark-Fed was not deciding the petitioner's representation despite communication -Annexure P/7 by the Collector. In the said writ petition, the Mark-Fed was directed to take a decision as per the directions given by the Collector within a period of 3 weeks. Thereafter, the Mark-Fed has rejected the petitioner's representation.
4. Section 15 of the Agreement provides that in case of any dispute concerning any clause of the Agreement, the same shall be resolved by Mediation by the Collector and the decision taken by the Collector shall be binding on the parties.
5. In view of the express stipulation in the Agreement, let the petitioner move before the concerned Collector within a period of one month from today. The Collector shall thereafter decide the dispute after hearing and in presence of both the parties within next 3 months.
6. The writ petition stands disposed of.      Sd/-

**(Prashant Kumar Mishra)**

Judge

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