

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1032 of 2020**

1. Hook Kumar Sahu S/o Shri Ramji Sahu Aged About 45 Years In-Charge, Paddy Procurement Center Singhanpuri Prathmik Krishi Sakh Sahakari Samiti Maryadit Singhanpuri, Registration No. 1355, R/o Village - Koylari, Post-Chhatan, Thana-Lalpur, Tahsil-Lormi, District - Mungeli, Chhattisgarh,
2. Ashok Kumar Sahu S/o Shri Laharu Ram Sahu Aged About 28 Years In-Charge, Paddy Procurement Sub-Center Bhalukhondra, Prathmik Krishi Sakh Sahakari Samiti Maryadit Singhanpuri, Registration No. 1355, R/o Village - Amalidih, Post-Kanteli, Thana-Lalpur, Tahsil-Lormi, District - Mungeli, Chhattisgarh,

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Co-Operative Department, Mahanadi Bhawan, Capital Complex, Atal Nagar, New Raipur, District Raipur, Chhattisgarh,
2. Managing Director Mark Fed, Chhattisgarh Raipur, District Raipur, Chhattisgarh
3. Collector Mungeli District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh
4. District Co-Operative Mark Fed Officer Mungeli District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh
5. Chief Executive Officer District Co-Operative Central Bank Maryadit, Bilaspur, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	: Shri Sunil Sahu, Adv.
For State	: Shri V.R. Tiwari, Addl. A.G.
For Respondent No. 4	: Shri Ashish Surana, Adv.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21/05/2020**

1. The dispute in the present Writ Petition substantially is that of non-lifting of paddy by Respondent No.4-Federation.
2. According to the Petitioners, due to the frequent changing of climate and the rains and hailstorms frequent occurring, the paddy which is lying open is getting destroyed and damaged and the Respondent No.4-Federation were supposed to lift it within 72 hours which they have not done and therefore the Petitioners approached this Court for a direction to Respondent No.4-Federation for an early lifting of paddy.

3. Today, when the matter is taken up for hearing, learned Counsel for Respondent No.4 submits that the Federation had permitted the Petitioners that they themselves can get the paddy lifted and transported as per clause 2.6 of the agreement to the nearest storage centre of Respondent No.4-Federation. According to the learned Counsel for Respondent No.4-Federation, this liberty the Petitioners should have been invoked at the earliest.
4. Given the said submission by the learned Counsel for Respondent No.4- Federation, this Court is of the opinion that the present Writ Petition itself can be disposed of giving the liberty to the Petitioners to transport the paddy and deliver it at the nearest storage center of the Respondent No.4-Federation. In case of any doubt or confusion so far as the storage centre at which the paddy has to be delivered, the Petitioner-Society can approach the Respondent No.4-Federation who shall issue appropriate guidelines or instructions to the Petitioner informing them about the destination at which the paddy has to be delivered. In the event, if there is any further dispute regarding the quantity or quality of the paddy etc., all those issues would be resolved in terms of the agreement entered into between the parties and the standards and specifications provided for the same.
5. The Writ Petition accordingly stands disposed of with the aforesaid direction.

Sd/-

**(P. Sam Koshy)
Judge**