

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 2765 of 2020

Ramanand @ Ramakant Patel S/o Shri Barat Ram Patel Aged About 59 Years Occupation Agriculturist, R/o Village and Post Kanwarpali, Thana Singhoda, Tahsil Saraypali, District Mahasamund Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Co-Operative Department, Mahanadi Bhawan, Capital Complex, Atal Nagar, New Raipur District Raipur Chhattisgarh
2. Collector Mahasamund District Mahasamund Chhattisgarh
3. Sub Divisional Officer (Revenue) Saraypali, District Mahasamund Chhattisgarh
4. Tahsildar Saraypali, District Mahasamund Chhattisgarh
5. Prathmik Krishi Shakh Sahakari Samiti Maryadit Risikela Registration No. 1231 Through Its President, Thana Singouda, District Mahasamund Chhattisgarh

---Respondents

For Petitioner	:	Shri Sunil Sahu, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

09.11.2020

1. The grievance of the petitioner is the inaction on the part of the respondents in not granting registration to the petitioner for selling paddy during the present Kharif season.
2. According to the petitioner, he has been selling paddy for about 10 years now and he has got all the requisite documents required for registration for selling of paddy. Even during the previous Kharif season 2019-20 he was granted registration and had been able to sell his paddy. The petitioner further submits that he has moved an appropriate application supported with all relevant documents before the respondent No.3 for grant of registration which is pending and tomorrow is the last date extended by the State Govt. for registration for selling paddy and therefore a decision at the end of respondent No.3 is required.

3. The State counsel submits that from the documents enclosed along with the writ petition there appears to be some discrepancy so far as the property which has been referred to by the petitioner belonging to him claiming himself to be the owner of the said property and that could be the reason why his name is not reflected as a registered farmer.
4. Be that as it may, since the limited grievance of the petitioner is for a direction to the respondent No.3 to take a decision on the application which the petitioner has filed seeking for registration of his name for the purpose of selling paddy, there is no reason why the respondent-SDO should not consider and decide his application on its own merits so that the petitioner can come to know about the reason why his name has not been registered, if at all if his application is liable to be rejected.
5. Under the circumstances, this court, at this juncture particularly taking note of the short duration of time left by the State Govt. for registration, the writ petition stands disposed of directing the respondent No.3 to consider and decide the representation of the petitioner by tomorrow under any circumstances and the application should be decided objectively taking into consideration the relevant documents which the petitioner shall submit in support of his contention.
6. The State counsel is also directed to intimate the respondent No.3-Sub Divisional Officer (Revenue), Saraipali in respect of the order passed by this court so that a decision may be taken tomorrow itself considering the fact that from tomorrow the Court have closed on account of Deewali holidays.
7. The writ petition accordingly stands disposed of.
8. Certified copy today.

Sd/-

(P. Sam Koshy)
Judge