

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 720 of 2021**

- Seva Sahkari Samiti Maryadit, Ghuma Through The Incharge Fad Prabhari Sunil Das Manikpuri Son Of Sevak Das Manikpuri, Aged About 42 Years, Fad Prabhari, R/o Village Ghuma, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Cooperative Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
2. Managing Director Marketing Federation, Chhattisgarh, Raipur, District Raipur Chhattisgarh
3. Collector Bilaspur District Bilaspur Chhattisgarh
4. District Cooperative Marketing Federation Officer Bilaspur, District Bilaspur Chhattisgarh
5. Zila Sahkari Kendriya Bank Maryadit Bilaspur, Through Nodal Officer, Office At Nehru Chowk, Bilaspur, District Bilaspur Chhattisgarh
6. In-Charge Supervisor Cooperative Marketing Federation, Office At Kargi Road, Kota, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri G.R. Miri, Advocate with Shri Basant Kaiwartya, Advocate
For Respondents/State	:	Ms. Richa Shukla, Dy. GA
For Respondents No.2 & 4	:	Shri Ashish Surana, Advocate
For Respondent No.5	:	Shri Jitendra Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****12/02/2021**

1. Heard.
2. The instant petition has been filed on behalf of the Seva Sahkari Samiti Maryadit through in-charge Sunil Das Manikpuri.

3. Learned counsel for the petitioner would submit that Sunil Das Manikpuri has been alone held guilty for the shortage which would be evident from the Annexure P-5, whereas Sunil Das Manikpuri was not at all sole responsible to transport the paddy and as per the agreement 2.7 if the stock in the center exceeds buffer limit, then the transportation should have been carried out by the respondent No.2 Marketing Federation and having not done so, therefore, Sunil Das Manikpuri cannot be held responsible.
4. I have heard learned counsel for the petitioner and perused the documents.
5. The instant petition prima facie appears to be filed by the Seva Sahkari Samiti Maryadit, which is a Society registered under the C.G. Co-operative Societies Act. Submission on behalf of Sunil Das Manikpuri has been made but no resolution of the Society is on record to hold that the Society is espousing the case of the employee Sunil Das Manikpuri and no resolution is on record. The Society, is a juristic person, in absence of individual since the individual petitioner is not before this Court and the Annexure P-5 which is been stated that is been made behind the back of Sunil Das Manikpuri, the same cannot be assailed by the Society. The prayer in this petition is only to quash the Annexure P-1 & P-2 which are the communication, therefore, under these circumstances, no relief can be granted.
6. Accordingly, the petition is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu