

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 781 of 2021

- Aadim Jati Sewa Sahakari Samiti Maryadit Haradula Through Phulchand Jurri S/o Late Shri Chaituram Jurri, Aged About 72 Years, President Of Aadim Jati Sewa Sahakari Samiti Maryadit Haradula, Tahsil And P. S. Charama, District- North Baster- Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Department Of Food, Civil Supplies And Consumer Protection, Mahanadi Bhavan, New Mantralaya, Atal Nagar, P. S. Rakhi, District Raipur Chhattisgarh
2. Managing Director Chhattisgarh State Marketing Federation Maryadit, Atal Nagar, Naya Raipur, Tahsil And District Raipur Chhattisgarh
3. The Collector North Baster- Kanker Chhattisgarh
4. The Deputy Registrar Co-Operative Societies, Kanker, District North Bastar Kanker Chhattisgarh
5. District Marketing Officer District North Bastar Kanker Chhattisgarh

---- Respondents

For Petitioner Sachin	:	Shri Mukul Chaturvedi on behalf of Shri Nidhi, Advocate
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For Respondent/ State	:	Shri Gagan Tiwari, Dy. G. A.
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For Respondent No. 2	:	Shri Harshal Chauhan, Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.02.2021

Heard

1. Learned counsel for the petitioner submit that the petitioner is a agent who procures the paddy which in turn is handed over to the respondent No. 2 i.e. Managing Director C.G. State Marketing Federation and agreement was executed by respondent No. 5

District Marketing Officer on behalf of the respondent No. 2. According to Clause 2.7 of the agreement which is filed as Annexure P/4, if the paddy stock exceeds the buffer limit then it is the duty of the State Marketing Federation to lift the same. Learned counsel submit that in respect of the paddy procurement of Haradula, the maximum capacity of the paddy would be 6,500 quintals and the paddy has exceeded the buffer limit, therefore respondent No. 2 i.e. Managing Director C.G. State Marketing Federation was duty bound to lift the same. Under these circumstances, the petitioner has made a representation vide Annexure P/6 to the respondent No. 2 which may be directed to be decided.

2. Considering the fact that the agreement exists between the parties, and the petitioner since has made a representation to the respondent No. 2, therefore respondent No. 2 i.e. Managing Director C.G. State Marketing Federation is directed to decide the said application according to the terms of agreement within a period of 30 days from the date of receipt of copy of this order.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge