

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 842 of 2021

- Aadim Jati Sewa Sahakari Samiti Maryadit Kottara Through - Satyaprakash Mandavi, S/o Suklal Mandavi, Aged About 40 Years, President Of Aadim Jati Sewa Sahakari Samiti Maryadit Kottara, Tahsil And P.S. Charama, Distt.- North Bastar- 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 Bastar- 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	:	Mr. Mukul Chaturvedi on behalf of Mr. Sachin Nidhi, Advocate
For State	:	Mr. Gagan Tiwari, Dy. G.A.
For Respondent No. 2	:	Mr. Akash Pandey on behalf of Mr. Prafull N. Bharat, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.02.2021

Heard.

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

paddy would be 5,500 quintals and the paddy has exceeded the buffer limit, therefore the 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, the 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

Vishakha