

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 723 of 2021

- Aadim Jati Sewa Sahakari Samiti Maryadit Halba Through - Ramsuman Uikey S/o Late Shri Sakharam Uikey, Aged About 44 Years, President Of Aadim Jati Sewa Sahakari Samiti Maryadit Halba, Tahsil And Police Station Charama, District - 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, Police Station 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. Sachin Nidhi & Mr. Mukul Chaturvedi, Advocates
For State	:	Mr. Somkant Verma, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.02.2021

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 Halba, the maximum capacity of the paddy would be 5,000 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