

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1084 of 2021

1. Adim Jati Seva Sahkari Samiti Maryadit Pussour Represented By Its Society Manager Rajkumar Patel , S/o Baliram Patel, Aged 48 Yrs, Resident Of Sarasmal Police Station / Tehsil Pussour , District Raigarh.
2. Adim Jati Seva Sahkari Samiti Maryadit Padigaon Represented By Its Society Manager , Tikeshwar Mehar , S/o Sanyash Mehar, Aged About 53 Years , At/p.O. Podigaon, Police Station / Tehsil Pussore , District Raigarh
3. Adim Jati Seva Sahkari Samiti Maryadit Badehaldi Represented By Its Society Manager Jagdish Prasad Sao, S/o Hansram Sao, Aged About 58 Years At/p.O. Badehaldi , Police Station Pussour, District Raigarh
4. Adim Jati Seva Sahkari Samiti Maryadit Tetla Represented By Its Society Manager Vijay Kumar Pradhan S/o Amrit Lal Pradhan, Aged 48 Yrs, At/p.O. Tetla , Police Station Pussour, District Raigarh.
5. Adim Jati Seva Sahkari Samiti Maryadit Kondatarai Represented By Its Society Manager Manoj Kumar Gupta, S/o Benuram Gupta , Aged About 35 Years , At/p.O. Badehaldi, P.S. / Tehsil Pussour, District Raigarh.
6. Adim Jati Seva Sahkari Samiti Maryadit Kondapali Represented By Its Society Manager Sunil Kumar Mishra S/o Santosh Mishra , Age 44 Yrs. At Basanpali P.O. Maholoi Police Station / Tehsil Pussour , District Raigarh.
7. Adim Jati Seva Sahkari Samiti Maryadit Badebhandar Represented Through Its Society Manager Dileswar Pradhan S/o Khileshwar Pradhan Age 50 Yrs. At/p.O. Badebhandar, Police Station/ Tehsil Pussour, District Raigarh.
8. Adim Jati Seva Sahkari Samiti Maryadit Keshla Represented By Its Society Manager Rohit Patel, S/o Murlidhar Patel , Age 50 Year, Village Midmida P.O. Jhalmala, P.S. / Tehsil Pussour, Raigarh.
9. Adim Jati Seva Sahkari Samiti Maryadit Gorra Represented By Its Society Manager , Ramashankar Patel, S/o Harihar Patel , Age 52 Years, At / P.O. Gorra, Police Station Kotra Rd. Tehsil Pussour, District Raigarh.
10. Adim Jati Seva Sahkari Samiti Maryadit Kudumkela Represented By Its Society Manager Pradeep Kumar Sao S/o Harilal Sao, Age 49 Yrs., At/p.O. Kudumkela , Police Station Gharghoda , District Raigarh
11. Adim Jati Seva Sahkari Samiti Maryadit, Jobi Represented By Its Society Manager , Radhelal Mehar , S/o Anadi Ram Aged 47 Yrs. At/p.O./p.S. Jobi, Tehsil Kharsia, District Raigarh
12. Adim Jati Seva Sahkari Samiti Maryadit Pharkanara Represented By Its Society Manager , Radhelal Mehar, S/o Anandi Ram Aged 47 Yrs., At/p.O./p.S. Jobi Tehsil Kharsia, District Raigarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary To The Govt. Of Chhattisgarh , Department Of Food Civil Supply And Consumer Protection , Mantralay, Indravati Bhawan Atal Nagar , Naya Raipur Chhattisgarh.,

2. The Registrar Co Operative Societies Chhattisgarh , Indravati Bhawan , Atal Nagar Raipur , District Raipur , Chhattisgarh
3. Managing Director Chhattisgarh State Co Operative Marketing Federation Ltd. Raipur , 6th Floor , Tower C , Commercial Complex , Cbd, Sector 21, Block C , Nava Raipur , Atal Nagar , Chhattisgarh. 492002., District : Raipur, Chhattisgarh
4. The District Magistrate Cum Collector District Raigarh , Chakradhar Nagar, Chhattisgarh., District : Raigarh, Chhattisgarh
5. District Marketing Officer District Raigarh Chhattisgarh.
6. Deputy Registrar Co Operative Societies Raigarh, Collectorate Campus , Chakradhar Nagar , Raigarh.

---- Respondents

For Petitioner	:	Shri Dilip Kumar Swain, Advocate
For Respondent/ State	:	Shri P. Acharya, P.L.
For Respondent No. 3 & 5	:	Shri Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.03.2021

Heard

1. Learned counsel for the petitioners submit that the petitioners are agents who procures the paddy which in turn is handed over to the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation. It is stated that agreement was executed between the parties. According to Clause 2.7 of the agreement which is filed as Annexure P/1, if the paddy stock exceeds the buffer limit then it is the duty of the State Marketing Federation to lift the same within 72 hours. Learned counsel for the petitioners submits that the paddy procurement of different paddy procurement centres have exceeded the buffer limit, therefore the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation was duty bound to lift the same. Under these circumstances, the association has filed a representation on 30.01.2021 vide

Annexure P/4 to the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation which may be directed to be decided.

2. Considering the fact that the agreement exists between the parties, the petitioners have made a representation to Respondent No. 3 i.e. Managing Director C.G. State Marketing Federation, Respondent No. 3 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

Jyoti