

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1093 of 2021

- Netranand Behra S/o Dubraj Behra Aged About 55 Years Samiti Manager, Adim Jati Sewa Sahakari Samiti Maryadit Khamharia Registration No. 842, District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Cooperative Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Mantralaya, New Raipur Chhattisgarh.
2. The Collector District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
3. The District Marketing Officer Chhattisgarh State Cooperative Federation Limited, Raigarh, District Raigarh Chhattisgarh.
4. The Chief Executive Officer District Cooperative Central Bank Limited, Nehru Chowk, Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri K.K. Pandey, Advocate
For Respondent/ State		Shri Akash Pandey, P.L
For Respondent No. 3	:	Shri Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.02.2021

Heard

1. Learned counsel for the petitioner submits that the petitioner is a agent who procures the paddy which in turn to be handed over to the respondent No. 3 i.e. District Marketing Officer Chhattisgarh State Marketing Federation and agreement was executed by the respondent No. 3 District Marketing Officer. According to Clause 2.7 of the agreement which is filed as Annexure P/3, if the paddy stock exceeds

the buffer limit then it is the duty of the State Marketing Federation to lift the same. He further submits that in respect of the paddy procurement of Khamharia, the maximum capacity of the paddy would be 2,309 quintals and the paddy has exceeded the buffer limit, therefore the respondent No. 3 i.e. District Marketing Officer Chhattisgarh State Marketing Federation was duty bound to lift the same. Under these circumstances, the petitioner has made several representations which may be directed to be decided.

2. Considering the fact that the agreement exists between the parties, the petitioner is given the liberty to make a fresh representation to Respondent No. 3 and if such representation is filed, Respondent No. 3 i.e. District Marketing Officer Chhattisgarh State Marketing Federation is directed to decide the said representation 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