

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1161 of 2021

Aadim Jati Sewa Sahkari Society Khamhar Through Its Manager Bhagirathi Yadav S/o Shri Triloknath Yadav Aged About 52 Years R/o Village Khamhar Tahsil Dharamjaigarh District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Food, Civil Supplies And Consumer Protection Mahanadi Bhawan Mantralaya, New Raipur, Atal Nagar District Raipur Chhattisgarh,
2. Managing Director Chhattisgarh State Market Fedretion Maryadit, Atal Nagar Naya Raipur District Raipur Chhattisgarh
3. Collector, Raigarh District Raigarh Chhattisgarh,
4. District Marketing Officer Raigarh District Raigarh Chhattisgarh

---- Respondents

For Petitioner : Shri Ashutosh Mishra, Advocate

For Respondent/ State : Shri Aditya Tiwari, PL

For Respondent No. 2 & 4 : Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01/03/2021

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. 4 i.e. District Marketing Officer on behalf of the respondent No. 2. According to Clause 2.7 of the agreement which is filed as Annexure P/2, 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 submit that in respect of the paddy procurement of Khamhar, the

maximum capacity of the paddy would be 7214 quintals at different centres for paddy procurement and the paddy has exceeded the buffer limit, therefore respondent No. 4 i.e. District Marketing Officer was duty bound to lift the same. Under these circumstances, the petitioner has made a representation vide Annexure P/4 to the respondent No. 4 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. 4, therefore respondent No. 4 i.e. District Marketing Officer 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