

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 758 of 2021

Aadim Jati Sewa Sahakari Samiti Maryadit Charama, Through – Rohidas, S/o. Ramchandra, Aged About 59 Years, President Of Aadim Jati Sewa Sahakari Samiti Maryadit Charama, 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. Mukul Chaturvedi, Advocate on behalf of Mr. Sachin Nidhi, Advocate
For State	:	Mr. Somkant Verma, Panel Lawyer
For Respondent No.2	:	Mr. Akash Pandey, Advocate on behalf of Mr. Prafull N. Bharat, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.02.2021

Heard.

1. Learned counsel for the petitioner submit that the petitioner is an 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 Dokla, the maximum capacity of the paddy would be 3,000 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

Aks

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No. 103 of 2021

Aadim Jati Sewa Sahkari Samiti Maryadit, Charama Through, Rohidas S/o Ramchandra, Aged About 59 Years, Preseident Of Aadim Jati Sewa Sahkari Samiti Maryadit Charama, Tahsil And Police Station Charama, District North Bastar - Kanker Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Food, Civil Suplies And Consumer Protection, Mahanadi Bhawan, 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 Soietiiies, Kanker, District North Bastar - Kanker Chhattisgarh.
5. District Marketing Officer, District North Bastar - Kanker Chhattisgarh.

----Respondents

26/02/2021	Shri Sachin Nidhi and Shri Mukul Chaturvedi, counsel for the applicant. Ms. Sunita Jain, G.A. for the State. Shri Akash Pandey, counsel for respondent No.2 Instant MCC has been filed for modification of the order dated 15/02/2021 passed in WPC No.758/2021. It is stated that in para 1 of the order instead of paddy procurement centre, Dokla it should have been Charama and instead of maximum capacity of paddy 3000 quintals it should have been been 3500 quintals. Accordingly, it is directed that in para 1 of the order dated 15/02/2021

gouri	passed in WPC No.758/2021 the paddy procurement centre the name instead of Dokla it should be read as Charama and the maximum capacity of paddy should be read as 3500 quintals instead of 3000 quintals. Accordingly, the MCC stands disposed of. Sd/- (Goutam Bhaduri) JUDGE
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