

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1197 of 2021

- Aadim Jati Sewa Sahkari Society, Siringa Through Its Manager Sahdeo Kumar Rai S/o Late Sukhlal Rai Aged About 44 Years R/o Village - Siringa Tahsil Daramjaigarh 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 C.G. 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 : Smt. Sunita Jain, G. A.

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.03.2021

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 Sisringa, the maximum capacity of the paddy would be 6,000 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