

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1378 of 2021**

- Sewa Sahakari Samiti Maryadit Bahtara Registration No. 1543, Block Masturi, Through The Society Manager Smt. Rameshwari Sahu Wife Of Balram Sahu, Aged About 34 Years, Resident Of Village Bahtara, Block Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Food, Civil Supplies And Consumer Protection, Mahanadi Bhawan, Mantralaya, Atal Nagar, Mantralaya, New Raipur Chhattisgarh
2. The Managing Director Chhattisgarh State Marketing Federation, Maryadit, Atal Nagar, Naya Raipur, Tahsil And District Raipur Chhattisgarh.
3. The Collector District Bilaspur Chhattisgarh.
4. The District Marketing Officer Chhattisgarh State Cooperative Federation Limited, Bilaspur, District Bilaspur Chhattisgarh

**---- Respondents**

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| For petitioner            | : | Mr. Vikash A. Shrivastava, Advocate |
| For State                 | : | Mrs. Astha Shukla, P.L.             |
| For Respondents No. 2 & 4 | : | Mr. Ramakant Pandey, Advocate       |

**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**08.03.2021**

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. 2 i.e. Managing Director C.G. State Marketing Federation and agreement was executed by the respondent No. 4 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. Learned counsel submits that in respect of the paddy procurement of Bahtara, the maximum capacity of the

paddy would be 8,300 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/4 to the respondent No. 2 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. 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**

Vishakha