

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1622 of 2021

- Sewa Sahakari Samiti Vidyadih Registration No. 688, Block Masturi, Through The Society Manager- Chhatturam Sahu, Son Of Fekram Sahu, Aged About 45 Years, Resident Of Village- Vidyadih, Block- Masturi, 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 : Shri Vikash A. Shrivastava, Advocate

For Respondent/ State : Ms. Richa Shukla, Dy. G.A.

For Respondent No. 2 & 4 : Shri Ramakant Mishra, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.03.2021

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 the 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. He further submits that in respect of the paddy procurement of Vidyadih, the maximum capacity of the paddy would be 3000 quintals and the paddy has exceeded the buffer limit, therefore 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, the petitioner since has made a representation to 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

Jyoti