

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1495 of 2021**

- Sewa Sahakari Samiti Maryadit Kirari, Registration No. 83, Block Masturi, Through The Society Manager - Krishna Kumar Singh S/o Late Abhay Singh, Aged About 55 Years, R/o Village - Kirari, 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 Respondents/State : Shri P. Acharya, PL

For Respondents No.2 & 4 : Shri Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****16/03/2021**

Heard.

1. Learned counsel for the petitioner submits 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. 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 submit that in respect of the paddy procurement of Kirari, the maximum capacity of the paddy would be 5517 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 authorities; therefore the representation filed as Annexure P-4 to the District Marketing Officer & Managing Director, C.G. State Marketing Federation are directed to be decided 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

Ashu