

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1572 of 2021

Sewa Sahakari Samiti Jaitpur Registration No. 1175, Block Masturi through the Society Manager - Manoj Kumar Pandey, Son of Durga Prasad Pandey, Aged About 55 Years, Resident of Village- Jaitpur, Block- Masturi, District - Bilaspur 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 District : 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), District : Bilaspur, Chhattisgarh
4. The District Marketing Officer Chhattisgarh State Cooperative Federation Limited, Bilaspur, District- Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- **Respondents**

For petitioner	:	Mr. Vikash A. Shrivastava, Advocate
For State	:	Mr. Gagan Tiwari, Dy. Govt. Advocate
For Respondents No. 2 & 4	:	Mr. Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.03.2021

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 respondent No. 2. According to Clause 2.7 of the agreement 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 Jaitpur, the maximum capacity of the paddy would be 6500 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 to respondent No. 2 vide Annexure P/4 which may be directed to

be decided.

2. Considering the fact that the agreement exists between the parties, and since the petitioner 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