

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1300 of 2021

- Sewa Sahakari Samiti Maryadit Lukapara, Registered Society Under Cooperative Societies Act, Registration No. 831, Through Its President Harekrishna Singh S/o Shri Manorika Singh, Aged About 36 Years, R/o Village Korra, Block And Tahsil Baramkela, District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh, Through - The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar District - Raipur Chhattisgarh.
2. The Managing Director, Chhattisgarh State Cooperative Marketing Federation Limited, Sector - 21, C.B.D. Complex, 6th Floor, Atal Nagar, Nawa Raipur Chhattisgarh.
3. The Registrar, Chhattisgarh Cooperative Society, Indrawati Bhavan, Atal Nagar, Nawa Raipur Chhattisgarh.
4. The Managing Director, Chhattisgarh State Cooperative Bank Limited Raipur, Padri, Indira Gandhi Parisar, District - Raipur Chhattisgarh
5. The Collector, District - Raigarh Chhattisgarh.
6. The Deputy Registrar Cooperative Society, Raigarh, District Raigarh Chhattisgarh.
7. The Officer On Special Duty, Apex Bank, Gandhi, Chowk - Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner : Shri Roop R. Naik, Advocate

For Respondent/ State : Ms. Shriya Mishra, P.L.

For Respondent No. 2 & 4 : Shri Akash Pandey on behalf of Shri Prafull N. Bharat, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.03.2021

Heard

1. Learned counsel for the petitioner submit that the petitioner is a agent who procures the paddy at two paddy procurement centres one at Lukapara

wherein the buffer limit was 10500 quintal and another at Sankara 2300 quintal which in turn is handed over to the respondent No. 2 i.e. Managing Director C.G. State Marketing Federation and agreement was executed. According to Clause 2.7 of the agreement which is filed as Annexure P/3, 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. He further submits that therefore Respondent No. 2 may be directed to lift the paddy as per the agreement otherwise the loss would be on the head of the society for no fault of them. 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 is given the liberty to file a fresh representation to Respondent No. 2 within a period of 3 weeks from today and if such representation is filed , Respondent No. 2 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