

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1322 of 2021

- Sewa Sahakari Samiti Maryadit Saria Registered Society Under Cooperative Societies Act, Registration No. 354, Through Its President Nakul Patel S/o Shri Gosairam Patel, Aged About 65 Years, R/o Village Jalgarh, Block And Tahsil Baramkela, District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. 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, 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	:	Mr. Roop Naik, Advocate
For State	:	Mrs. Sunita Jain, G.A.
For Respondents No. 2 & 4	:	Mr. Harshal Chouhan on behalf of Prafull N. Bharat, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.03.2021

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 Saria, the maximum capacity of the paddy would be 12,815 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/3 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