

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1301 of 2021

- Sewa Sahakari Samiti Maryadit Salheona Salheona, Registered Society Under Cooperative Societies, Act, Registration No. 245, Through Its President Bhuwan Vijay Malakar S/o Shri Babulal Malakar, Aged About 35 Years, R/o Village Bargaon, 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 : 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 centre at Salheona wherein

the maximum buffer limit was 10600 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/2, 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/3 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