

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1478 of 2021**

- Sewa Sahakari Samiti Maryadit Paunsri Registration No. 683, Through The Society Manager- Dharmendra Tiwari, Aged About 49 Years, Son Of Late Jag Prasad Tiwari, Resident Of Village And Post- Bilha, 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 Pansari, the maximum capacity of the paddy would be 3,803 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