

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1353 of 2021

- Sewa Sahakari Samiti Maryadit Sewar Registration No. 14, Through The Society Manager Ramesh Kumar Kaushik S/o Shri Ratanlal Kaushik, Aged About 35 Years, R/o Village Sewar, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through 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
4. The District Marketing Officer, Chhattisgarh State Cooperative Federation Limited, Bilaspur District Bilaspur Chhattisgarh

---- Respondents

For petitioner	:	Mr. Vikash A. Shrivastava, Advocate
For State	:	Mr. Akash Pandey, Panel Lawyer
For Respondents No. 2 & 4	:	Mr. Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.03.2021

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 Sewar, the maximum capacity of the paddy would be 5,308 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 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

Vishakha