

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1348 of 2021

- Sewa Sahakari Samiti Maryadit Nirtu Registration No. 696, Block Masturi, Through The Society Manager Rajesh Kumar Yadav S/o Uttam Lal Yadav Aged About 37 Years, R/o Village Dhaniya, Block Masturi District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Food, Civil Supplies And Consumer Protection Department, Home Affairs, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Managing Director Chhattisgarh 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 Nirtu, the maximum capacity of the paddy would be 3,000 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