

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1461 of 2021

Sewa Sahakari Samiti Maryadit, Bilha, Tahsil - Bilha, Through The Society Manager - Murarilal Kaushik, S/o. Late Hinchharam Kaushik, Aged About 59 Years, R/o. Village Bilha, Tahsil - Bilha, District – Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through the Secretary, Department Of Food, Civil Supplies And Consumer Protection, Mahanadi Bhavan, Mantralaya, Atal Nagar, Mantralaya, New Raipur, Tahsil & District Raipur, Chhattisgarh.
2. The Managing Director, Chhattisgarh State Marketing Federation Maryadit, Atal Nagar, Naya Raipur, Tahsil And District - Raipur Chhattisgarh.
3. The Collector, Bilaspur, Tahsil Bilaspur, District Bilaspur, Chhattisgarh.
4. The District Marketing Officer, Chhattisgarh State Cooperative Federation Limited, Bilaspur, Tahsil - Bilaspur, District – Bilaspur, Chhattisgarh.

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For Petitioner	:	Mr. Vikas A. Shrivastava, Advocate
For State/Respondent No.1 & 3.	:	Ms. Sunita Jain, Govt. Advocate
For Respondent No.2 & 4 :	:	Mr. Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.03.2021

Heard.

1. Learned counsel for the petitioner submit 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 Bilha, the maximum capacity of the paddy would be 2600 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

Visakha/

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