

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1384 of 2021

Rajendra Kumar Chandrakar, Aged About 48 Years, S/o Shri Bhuwan Lal Chandrakar, Occupation - Incharge, Paddy Procurement Center Baghamuda, R/o - Village - Baghamuda, Police Station And Tahsil - Pandariya, District Kabirdham Chhattisgarh. Mo.No. - 9617242510

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary Department Of Food, Civil Supplies And Consumer Protection, Mahaanadi Bhawan, New Mantralaya, Atal Nagar Raipur, Police Station - Rakhi, Tahsil And District Raipur Chhattisgarh.
2. Collector, Kabirdham, District Kabirdham Chhattisgarh.
3. Managing Director, Chhattisgarh State Co- Operative Marketing Federation Limited, 6th Floor, Tower - C, Commercial Complex CBD, Sector 21, Atal Nagar Nawa Raipur, District Raipur Chhattisgarh.
4. Deputy Registrar, Co-Operative Societies Kabirdham, Tahsil And District Kabirdham Chhattisgarh.
5. Branch Manager, District Co-Operative Central Bank Maryadit Pandariya, District - Kabirdham Chhattisgarh.
6. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Kabirdham, District Kabirdham Chhattisgarh.

---- Respondents

For Petitioner : Shri Ratnesh Kumar Agrawal, Advocate

For Respondent/ State : Shri P Acharya, PL

For Respondent No. 3 & 6 : Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08/03/2021

Heard

1. Learned counsel for the petitioner submit that the petitioner is a agent who procures the paddy which in turn is handed over to the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation and agreement was executed by respondent No. 6 i.e. District Marketing Officer on behalf of the

respondent No. 3. According to Clause 2.7 of the proforma agreement which is filed as Annexure P/1, 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. Learned counsel submit that in respect of the paddy procurement of Baghamuda, the maximum capacity of the paddy would be 7000 quintals at different centres for paddy procurement and the paddy has exceeded the buffer limit, therefore respondent No. 6 i.e. District Marketing Officer was duty bound to lift the same. Under these circumstances, the petitioner has made a representation vide Annexure P/3 to the respondent No. 6 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. 6, therefore respondent No. 6 i.e. District Marketing Officer 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