

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1393 of 2021**

Seva Sahkari Samiti Maryadit, Korbi, Having Its Registration No. 993, Block And Tahsil - Baloda, District - Janjgir - Champa (C.G.), Through Its President Namely Manoj Kumar Agrawal S/o. Shri Govind Prasad Agrawal, Aged About 35 Years, R/o. Village - Dongri, Tahsil - Baloda, District - Janjgir - Champa Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Food Civil Supplies And Consumer Protection Department, Mantralay, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
2. Collector Janjgir, District - Janjgir – Champa, Chhattisgarh.
3. Chhattisgarh State Co-Operative Marketing Federation Limited (MARKFED) Through Its Chairman - Cum - Director, 6th Floor, Tower C, Commercial Complex, CBD, Sector - 21, Block C, Atal Nagar New Raipur Chhattisgarh.
4. The District Food Officer, Janjgir - Champa, District - Janjgir - Champa Chhattisgarh.
5. Nodel Officer, Janjgir-Champa, District - Janjgir - Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vaibhav A. Goverdhan, Advocate
For State/Respondents No.1, 2, 4 & 5.	:	Mr. P. Acharya, Panel Lawyer
For Respondent No.3	:	Mr. Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****17.03.2021**

Heard

1. The petitioner contends that the petitioner runs a paddy procurement center at Korbi who procures the paddy on behalf of the Chhattisgarh State Cooperative Marketing Federation Limited (MARKFED) / respondent No.3. The paddy are required to be lifted by the MARKFED and the last cut off date was fixed on 28.02.2021. It is stated that the respondent No.3 has not lifted the paddy as per the policy and the

paddy is lying at the premises of the petitioner, which may further be damaged due to change of condition in the environment and eventually because of dryness, it may lose its weight. Consequently, the shortage may come to fore. Apart from that external factors may also cause loss to the paddy. Therefore, the respondent No.3 may be directed to lift the paddy. He would further submit that as per the policy 16.3 if the respondent No.3 is not able to lift the paddy then the petitioner can transport the paddy at the approved rate to the nearest storage center.

2. Learned counsel for the respondent No.3 would submit that as per the policy 16.3 in case of any difficulty in transportation or lift the paddy by the respondent No.3, then the procurement center can transport the paddy in the satisfied approved rate to the nearest storage center.
3. Given the said submission by the learned counsel for the Respondent No.3-Federation, this Court is of the opinion that the present writ petition itself can be disposed off giving the liberty to the petitioners to transport the paddy and deliver it at the nearest storage centre of the Respondent No.3-Federation. In case of any doubt or confusion so far as the storage centre at which the paddy has to be delivered, the petitioner-society can approach the Respondent No.3- Federation who shall issue appropriate guidelines or instructions to the petitioners informing them about the destination at which the paddy has to be delivered. In the event, if there is any further dispute regarding the quantity or quality of the paddy etc., all those issues would be resolved in terms of the agreement entered into between the parties and the standards and specifications provided for the same.
4. Considering the submission of the petitioner that the petitioner has already filed a representation Annexure P-6 on 12.03.2021, the same should be decided in accordance with the policy so that the transport order and delivery order are issued by the respondent No.3 to transport

the paddy and further loss is arrested, which may be done as early as possible on receipt of a copy of this order.

5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks