

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1422 of 2021**

Kamta Das Manikpuri, S/o Shri Jhumuk Das Manikpuri, Aged About 56 Years, Occupation Incharge, Paddy Procurement Center Ramtala, R/o Village Ruse, Police Station and Tahsil Pandariya, District Kabirdham Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of Food, Civil Supplies and Consumer Protection, Mahanadi Bhawan, New Mantralaya, Atal Nagar, Raipur, Police Station Rakhi, Tahsil & 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 & 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	:	Mr. Ratnesh Kumar Agrawal, Advocate.
For State	:	Mr. Somkant Verma, P. L.
For Respondent Nos.3 & 6	:	Mr. Ashish Surana, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board**10.03.2021**

Heard

1. Learned counsel for the petitioner submit that the petitioner is an 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 Ramtala, the maximum capacity of the paddy would be 3000 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