

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1901 of 2021

- Sewa Sahakari Samiti Maryadit, Jairamnagar Registration No. 3089, Block Masturi, Through The Society Manager-Gyan Prasad Kariyare Son Of Babulal Kariyare Aged About 50 Year, R/o Village- Masturi, Block- Masturi, District- Bilaspur (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Food, Civil Supplies And Consumer Protection, Mahanadi Bhawan, Mantralaya, Atal Nagar, Mantralaya, New Raipur (C.G.)
2. The Managing Director, Chhattisgarh State Marketing Federation Maryadit Atal Nagar, Naya Raipur, Tahsil And District- Raipur (C.G.)
3. The Collector, District- Bilaspur (C.G.)
4. The District Marketing Officer, Chhattisgarh State Cooperative Federation Limited, Bilaspur, District- Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Mr. Vikas A. Shrivastava, Advocate
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For State	:	Mr. Siddharth Dubey, Dy. G.A.
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For Respondent No.2 & 4	:	Mr. Ramakant Pandey, Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order

07.06.2021

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-1, 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 Jairamnagar, the maximum capacity of the paddy would be 6538 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 C.G. State Marketing Federation is directed to be decided according to the terms of agreement within a period of three weeks from the date of receipt of copy of this order or as early as possible considering the ensuing monsoon season.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE