

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1887 of 2021

- Seva Sahkari Samiti Maryadit Karma Registration No. 694, Represented By Its Society Manager Arun Kumar Kashyap S/o Sahettaram Kashyap Aged About 49 Years, Resident Of Bhandi, P.O. Khairadagania, P.S. Seepat Tehsil And District Bilaspur State Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary To The Govt. Of Chhattisgarh Department Of Food Civil Supply And Consumer Protection, Mantralay, Indravati Bhawan, Atal Nagar, Naya Raipur Chhattisgarh
2. The Registrar Co-Operative Societies Chhattisgarh, Indravati Bhawan, Atal Nagar Raipur District Raipur Chhattisgarh
3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Ltd. Raipur 6th Floor, Tower C, Commercial Complex Cbd, Sector 21, Block C, Nava Raipur Atal Nagar C.G. 492002
4. The District Magistrate Cum Collector Bilaspur, Nehru Chowk, District Bilaspur Chhattisgarh
5. District Marketing Officer C.G. Mark Fed. Ltd. District Bilaspur Chhattisgarh
6. Deputy Registrar Co-Operative Societies Bilaspur, Near Collectorate, Campus, Nehru Chowk, Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Dillip Kumar Swain, Advocate
For Respondents/State	:	Shri Gagan Tiwari, Dy. GA
For Respondents No.3 & 5 :		Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

12/04/2021

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.3 i.e. Managing Director C.G. State Marketing Federation and agreement was executed by the respondent No. 5 District Marketing Officer on behalf of the respondent No. 3. 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 Karma, the maximum capacity of the paddy would be 4116 quintals and the paddy has exceeded the buffer limit, therefore the respondent No. 3 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. 5 which may be directed to be decided.
2. Considering the fact that the agreement exists between the parties, the petitioner is given liberty to make a representation to respondent No.3 within a period of two weeks from today and on such representation being filed, the same shall be decided in terms of the agreement within a period of 30 days from the date of receipt of the representation.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu