

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1897 of 2021

- Seva Sahkari Samiti Maryadit Bamhu Registration No. 124, Represented By Its Society Manager Rupesh Kumar Kashyap S/o Rajkumar Kashyap, Aged About 32 Years, R/o Karma, Post Office Beltara, Police Station 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 Operatie Societies, Chhattisgarh, Indravat Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
3. Managing Director, Chhattisgarh State Co Operative Marketing Federation Ltd. Raipur, 6th Floor, Tower C, Commercial Complex, C B D, Sector 21, Block C, Nava Raipur, Atal Nagar, Chhattisgarh 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 Dilip Kumar Swain, Advocate
For State	:	Shri Gagan Tiwari, Dy. G.A.
For Respondent No.3 & 5	:	Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

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. 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 Bamhu, the maximum capacity of the paddy would be 5700 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. 3, 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 21 days 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

Jyoti