

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1975 of 2021**

- Seva Sahkari Samiti Maryadit, Khaija Having Its Registration No. 714, Block And Tahsil Baloda, District Janjgir Champa Chhattisgarh Through Its In Charge Manager Namely Ratiram Pant S/o Late Aatma Ram Pant, About 51 Years, R/o Village Khaija, Post Khaija, Tahsil Baloda, District Janjgir Champa Chhattisgarh, **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Its Secretary, Food Civil Supplies And Consumer Protection Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur Chhattisgarh,
2. Collector Janjgir District Janjgir Champa Chhattisgarh
3. Chhattisgarh State Co-Operative Marketing Federation Limited (M A R K F E D) Through Its Chairman Cum Director, 6th Floor, Tower C, Commercial Complex, C B D, Sector 21, Block C, Atal Nagar New Raipur Chhattisgarh
4. District M A R K F E D Officer Chhattisgarh State Co-Operative Marketing Federation Limited (M A R K F E D), Janjgir, District Janjgir Champa Chhattisgarh
5. District Co-Operative Central Bank Through Chief Executive Officer, Nehru Chowk, Bilaspur, District Bilaspur Chhattisgarh
6. Nodel Officer District Co-Operative Central Bank Janjgir Champa, District Janjgir Champa Chhattisgarh **---- Respondents**

For Petitioner	:	Mr. Vaibhav A. Goverdhan, Advocate
For State	:	Mrs. Sunita Jain, G.A.
For Respondent No.3 & 4	:	Mr. Ashish Surana, Advocate
For Respondent No. 5 & 6	:	Mr. Jitendra Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****07.04.2021**

Heard

1. The petitioner contends that the petitioner runs a paddy procurement center at Khaija 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 facts, the petitioner is given a liberty to make a representation within a period of three weeks and the representation if so filed the same would be decided in accordance with the policy to arrest the further loss of the paddy which may be done as early as possible on receipt of the representation and the copy of this order.
5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge