

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1917 of 2021

- Aadim Jati Sewa Sahkari Society, Jamargidi Through Its Manager Bhagirathi Yadav S/o Trilik Nath Yadav, Aged About 52 Years, R/o Village Jamargidi Tahsil Daramjaigarh District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Food, Civil Supplies And Consumer Protection Mahanadi Bhawan, Mantralaya , New Raipur , Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Managing Director C.G. State Market Federation Maryadit Atal Nagar, Naya Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. District Marketing Officer Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate
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For State	:	Mr. Siddharth Dubey, Dy. G.A.
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For Respondent No.2 & 4 :	:	Mr. Ashish Surana, 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 Jamargidi, the maximum capacity of the paddy would be 2000 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