

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1951 of 2021

- Seva Sahkari Samiti Maryadit Loing Registration No. 845, Represented By Its Society Manager Suresh Kumar Yadav S/o Late Jagru Prasad Yadav, Aged About 46 Years, R/o Siyarpali, P. O. Loing, P. S. Chakradhar Nagar, Tehsil And District Raigarh 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, Mantralaya, Indravati Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh
2. The Registrar Co-Operative Societies Chhattisgarh, Indrawati 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, 492002
4. The District Magistrate Cum Collector Raigarh District Raigarh Chhattisgarh
5. The District Marketing Officer Chhattisgarh Mark Fed. Ltd. District Raigarh Chhattisgarh
6. Deputy Registrar Co-Operative Societies Raigarh, Near Collectorate Campus, Raigarh Chhattisgarh

---- Respondents

For Petitioner : Shri Dilip Kumar Swain, Advocate

For Respondent/ State : Shri Gagan Tiwari, Dy. G.A.

For Respondents No. 3 & 5 : Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.06.2021

Heard

1. Learned counsel for the petitioner submit that the petitioner is agent who procures the paddy which in turn is handed over to the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation. It is stated that agreement was executed between the parties. 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 within 72 hours. Learned counsel for the petitioner submits that the paddy procurement of different paddy procurement centre have 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 association has filed a representation on 13.01.2021 and 03.02.2021 vide Annexure P/3 to the respondent No. 3 i.e. Managing Director C.G. State Marketing Federation which may be directed to be decided.
2. Considering the fact that the agreement exists between the parties, the petitioner have made a representation to Respondent No. 3 i.e. Managing Director C.G. State Marketing Federation, Respondent No. 3 is directed to decide the said application according to the terms of agreement within a period of 3 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

Jyoti