

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1955 of 2021

- Sewa Sahakari Samiti Maryadit Devri (Khamhariya) Registration No. 670, Through The Society Manager- Ram Manohar Kaushik S/o Dwarika Prasad Kaushik Aged About 38 Years, R/o Village Devri (Khamhariya), Tahsil Takhatpur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Food, Civil Supplies And Consumer Protection, Mahanadi Bhawan, Mantralaya, Atal Nagar, Mantralaya, New Raipur Chhattisgarh
2. The Managing Director Chhattisgarh State Marketing Federation Maryadit, Atal Nagar, Naya Raipur, Tahsil And District Raipur Chhattisgarh
3. The Collector District Bilaspur Chhattisgarh
4. The District Marketing Officer Chhattisgarh State Cooperative Federation Limited, Bilaspur, District Bilaspur Chhattisgarh
5. The Deputy Registrar Cooperative Societies, Bilaspur, Tahsil And District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vikash A. Shrivastava Advocate
For State	:	Shri Siddharth Dubey, Dy. G.A.
For Respondent No.2 & 4	:	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 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-2, 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 Devri, the maximum capacity of the paddy would be 4739 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 letters dated 15.03.2021 (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 vide Annexure P-4 dated 15.03.2021 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 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