

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2705 of 2021**

- Krishak Sewa Sahakari Samiti Maryadit Sakarra (Paddy Procurement Center, Kharkena), Registration No. 3090, Through The Society Manager- Deepak Singh Thakur, Son Of Rampratap Singh, Aged About 31 Years, Resident Of Village- Sakarra (Paddy Procurement Center Kharkena), 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 Respondents No. 1, 3 & 5/State	: Shri Aditya Bhardwaj, PL
For Respondents No.2 & 4	: Shri Ashish Surana, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****07/07/2021**

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 Kharkena, the maximum capacity of the paddy would be 7000 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, the petitioner is given liberty to make a representation to respondent No.2 within a period of two weeks from today and on such representation being filed, the same shall be decided in terms of the agreement as early as possible preferably within a period of 21 days from the date of receipt of the representation considering the fact that the monsoon season is going on.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu