

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2347 of 2021

Sewa Sahakari Samiti Maryadit Takhatpur, Registration No. 287, Through The Society Manager, Arun Singh Tomar, S/o. Baleshwar Singh Tomar, Aged About 50 Years, R/o. Village Takhatpur, 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	:	Mr. Vikas A. Shrivastava, Advocate
For State	:	Mr. Siddharth Dubey, Dy. G.A.
For Respondent No.2 & 4	:	Mr. Ramakant Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

16.06.2021

The default as pointed out by the Registry is ignored.

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 Takhatpur, the maximum capacity of the paddy would be 5500 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 No.2, therefore, the respondent No.2 i.e. Managing Director C.G. State Marketing Federation is directed to decide the said application according to the terms of agreement within a period of 21 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

Aks