

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2006 of 2021

M/s Shankar Rice Mill Aarang Proprietor (HUF)- Roop Kumar Choudhary, S/o Late Shri Narsingh Das Choudhary, Aged About 63 Years, R/o Ward No. 14, Near New Bus- Stand, Akoli Road, Tahsil And P.S. Aarang, District- Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Food Civil Supplies And Consumer Protection, Mahnadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur Chhattisgarh.
2. Collector Raipur (Food Supply), District Raipur Chhattisgarh.
3. Chhattisgarh State Co-Operative Marketing Sangh Maryadit, Through Managing Director, Naya Raipur, Atal Nagar, Raipur, District- Raipur Chhattisgarh
4. District Marketing Officer, Chhattisgarh State Co-Operative Marketing Sangh Maryadit, District- Raipur Chhattisgarh.
5. The District Manager, Department Of Civil Supply Corporation, Raipur, District- Raipur Chhattisgarh

---Respondents

For petitioner – Shri Surfaraj Khan, Advocate.
For State – Shri Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

09/06/2021

Heard.

1. The grievance of the petitioner is that the petitioner entered into an agreement with the respondent No.3 Chhattisgarh State Cooperative Marketing Sangh Maryadit for custom milling and as per the agreement he is entitled for the incentive as they have done the custom milling. He would submit that on every quintal, Rs.30/- as incentive, the petitioner was entitled for, however the same was not given to them despite the custom milling was done by petitioner. Under the circumstances, the petitioner made a representation to Managing Director, Chhattisgarh State Cooperative Marketing Sangh Maryadit by Annexure P-6 that may

be directed to be decided.

2. Learned State counsel would point that as per the agreement clause 14.1 if certain dispute arise, first reference is to be made to the Collector.
3. After perusal of clause 14.1 of the agreement since issue of entitlement is yet to be decided, the petitioner shall be at liberty to make a representation to the Collector within a period of 45 days from the date of receipt of copy of this order claiming all his dues and may ventilate the grievance and if such representation is filed, the Collector would decide the same within a further period of 60 days. Subsequent, thereto as per the conditions of agreement, inter se between the parties, the parties shall be governed.
4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

Judge