

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2953 of 2021**

Kishun Sahu S/o Late Shri Mathura Prasad Sahu Aged About 51 Years Occupation Incharge Paddy Procurement Center Pouni (Reg No. 956), R/o Village Koilari, Post Chhatan, Police Station And Tahsil Lalpur, District Mungeli Chhattisgarh Mo. No. 6268327298- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Food, Civil Supplies and Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Raipur Police Station Rakhi, District Raipur Chhattisgarh
2. Collector Mungeli District Mungeli Chhattisgarh
3. Managing Director, Chhattisgarh State Cooperative Marketing Federation Maryadit Limited, 6th Floor, Tower-C Commercial Complex, CBD Sector 21, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
4. Assistant Registrar Cooperative Societies, Mungeli Police Station And Tahsil And District Mungeli Chhattisgarh
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipdan Sangh Maryadit Mungeli, Police Station Tahsil And District Mungeli Chhattisgarh
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur Police Station Civil Line Tahsil And District Bilaspur Chhattisgarh
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit, Mungeli District Mungeli Chhattisgarh

--- Respondents**WPC No. 2954 of 2021**

Shyamlal Sahu S/o Shri Vipatram Sahu Aged About 28 Years Occupation Incharge Paddy Procurement Center Bhalukhondra (Reg. No. 96) , R/o Village Koilari , Police Station and Tahsil Lalpur , District Mungeli Chhattisgarh , Mobile No. 9617446393, **--- Petitioner**

Versus

1. State of Chhattisgarh through Secretary Department of Food, Civil Supplies and Consumer Protection Department , Mahanadi Bhawan, New Mantralaya Raipur , Police Station Rakhi, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Mungeli , District Mungeli Chhattisgarh.
3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Limited , 6th Floor, Tower C, Commercial Complex CBD Sector 21, Atal Nagar Nawa Raipur , District Raipur Chhattisgarh.
4. Assistant Registrar Co-Operative Societies Mungeli Police Station,

Tahsil and District Mungeli Chhattisgarh.

5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station Tahsil and District Mungeli Chhattisgarh.
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur , Police Station Civil Line, Tahsil And District Bilaspur Chhattisgarh.
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli, District Mungeli Chhattisgarh.

--- Respondents

WPC No. 2955 of 2021

Mahesh Soni S/o Late Shri Dauram Soni Aged About 61 Years
Occupation- Incharge, Paddy Procurement Center Louda, (Reg. No. 2841), R/o Near Canal, Bilaspur Raod, Deendayal Upadhya Ward Mungeli, Police Station, Tahsil and District- Mungeli, Chhattisgarh
MO. No. 6269824925,

--- Petitioner

Versus

1. State of Chhattisgarh through Secretary Department of Food, Civil Supplies and Consumer Protection Department, Mahanadi Bhawan, New Mantralaya Raipur, Police Station- Rakhi, District- Raipur, Chhattisgarh.
2. Collector, Mungeli, District- Mungeli, Chhattisgarh.
3. Managing Director, Chhattisgarh State Co-Operative Marketing Federation Limited, 6 Th Floor, Tower-C, Commercial Complex CBD, Sector 21, Atal Nagar Nawa Raipur, District Raipur, Chhattisgarh,
4. Assistant Registrar, Co-Operative Societies Mungeli, Police Station, Tahsil and District- Mungeli, Chhattisgarh.
5. District Marketing Officer, Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh
6. Chief Executive Officer, Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station- Civil Line, Tahsil and District- Bilaspur, Chhattisgarh,
7. Nodal Officer, Zila Sahkari Kendriya Bank Maryadit Mungeli, District- Mungeli, Chhattisgarh,

- Respondents

WPC No. 2956 of 2021

Sanjay Jaiswal S/o Shri Vasudev Jaiswal Aged About 43 Years
Occupation Incharge Paddy Procurement Center Cum Manager Society Khudiya (Reg. No. 102) , R/o Raja Colony Lormi , Police Station And Tahsil Lormi , District Mungeli Chhattisgarh , Mobile No. 7898877528,

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary Department of Food, Civil

Supplies and Consumer Protection Department, Mahanadi Bhawan,
New Mantralaya Raipur, Police Station Rakhi, District Raipur
Chhattisgarh.

2. Collector Mungeli , District Mungeli Chhattisgarh.
3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Limited , 6th Floor, Tower C, Commercial Complex CBD , Sector 21, Atal Nagar Nawa Raipur , District Raipur Chhattisgarh.
4. Assistant Registrar Co-Operative Societies Mungeli Police Station, Tahsil and District Mungeli Chhattisgarh.
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station Tahsil and District Mungeli Chhattisgarh.
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur , Police Station Civil Line, Tahsil And District Bilaspur Chhattisgarh.
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli, District Mungeli Chhattisgarh.

--- Respondents

WPC No. 2957 of 2021

Sarju Ram Baghel S/o- Chhotkuram Baghel Aged About 41 Years
Occupation - Incharge Paddy Procurement Center Bundeli, (Reg. No. 1392), R/o- Village And Post- Fandwani, Police Station, Tahsil and District Mungeli (Chhattisgarh).

--- Petitioner

Versus

1. State of Chhattisgarh through Secretary Department of Food, Civil Supplies and Consumer Protection Department, Mahanadi Bhawan, New Mantralaya Raipur, Police Station - Rakhi, District : Raipur, Chhattisgarh
2. Collector Mungeli, District Mungeli (Chhattisgarh)
3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Limited, 6th Floor, Tower - C, Commercial Complex CBD Sector 21, Atal Nagar Nawa Raipur, District Raipur (Chhattisgarh)
4. Assistant Registrar Co-Operative Societies Mungeli, Police Station, Tahsil And District Mungeli (Chhattisgarh)
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, Tahsil and District Mungeli (Chhattisgarh)
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station - Civil Line, Tahsil And District- Bilaspur (Chhattisgarh)
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli, District Mungeli (Chhattisgarh)

--- Respondents

WPC No. 2958 of 2021

Bharat Singh Rajput S/o Salik Singh Rajput Aged About 35 Years
Occupation- Incharge, Paddy Procurement Center Kodwa (Reg. No. 506), R/o Village Kodwabani, Police Station, Tahsil And District- Mungeli, Chhattisgarh
--- **Petitioner**

Versus

1. State of Chhattisgarh Through Secretary Department of Food, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, New Mantralaya Raipur, Police Station- Rakhi, District- Raipur, Chhattisgarh.
2. Collector, Mungeli, District- Mungeli, Chhattisgarh.
3. Managing Director, Chhattisgarh State Co-Operative Marketing Federation Limited, 6th Floor, Tower-C, Commercial Complex CBD, Sector 21, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh,
4. Assistant Registrar, Co-Operative Societies Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh
5. District Marketing Officer, Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh.
6. Chief Executive Officer, Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh,
7. Nodal Officer, Zila Sahkari Kendriya Bank Maryadit Mungeli, District : Mungeli, Chhattisgarh
--- **Respondents**

WPC No. 2960 of 2021

Dasan Das Manikpuri S/o Gyan Das Manikpuri Aged About 45 Years
Occupation Incharge Paddy Procurement Center Dullapur, (Reg No. 956), R/o Village Fagupara, Police Station Fasterpur, Tahsil And District Mungeli Chhattisgarh
--- **Petitioner**

Versus

1. State of Chhattisgarh Through Secretary, Food, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Raipur Police Station Rakhi, District Raipur Chhattisgarh
2. Collector Mungeli District Mungeli Chhattisgarh
3. Managing Director, Chhattisgarh State Cooperative Marketing Fedration Maryadit Limited, 6th Floor, Tower-C Commercial Complex, CBD Sector 21, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
4. Assistant Registrar Cooperative Societies, Mungeli Police Station And Tahsil and District Mungeli Chhattisgarh
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipdan Sangh Maryadit Mungeli, Police Station Tahsil And District Mungeli Chhattisgarh
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru

Chowk Bilaspur Police Station Civil Line Tahsil And District Bilaspur
Chhattisgarh

7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit, Mungeli District
Mungeli Chhattisgarh **--- Respondents**

WPC No. 2961 of 2021

Gendal Sahu S/o Shri Ramavtar Sahu Aged About 36 Years
Occupation Incharge Paddy Procurement Center Tarvarpur, (Reg No.
1450), R/o Village Dabo, Police Station Fasterpur, Tahsil and District
Mungeli Chhattisgarh Mo. No. 7999896384 **--- Petitioner**

Versus

1. State of Chhattisgarh Through Secretary, Food, Civil Supplies And
Consumer Protection Department, Mahanadi Bhawan, Mantralaya,
Raipur Police Station Rakhi, District Raipur Chhattisgarh
2. Collector Mungeli District Mungeli Chhattisgarh
3. Managing Director, Chhattisgarh State Cooperative Marketing
Federation Maryadit Limited, 6th Floor, Tower-C Commercial Complex,
CBD, Sector 21, Atal Nagar, Nawa Raipur District Raipur
Chhattisgarh
4. Assistant Registrar Cooperative Societies, Mungeli Police Station And
Tahsil and District Mungeli Chhattisgarh
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipdan Sangh
Maryadit Mungeli, Police Station Tahsil and District Mungeli
Chhattisgarh
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru
Chowk Bilaspur Police Station Civil Line Tahsil And District Bilaspur
Chhattisgarh
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit, Mungeli District
Mungeli Chhattisgarh **--- Respondent**

WPC No. 2969 of 2021

Shrikant Verma S/o- Shri Mark Khande Verma Aged About 30 Years
Occupation - Incharge, Paddy Procurement Center Keshli And
Manager Society Of Vicharpur Shuklabhatha (Reg. No. 1065), R/o-
Village - Pandotara, Police Station - Fasterpur, Tahsil And District
Mungeli (Chhattisgarh) Mo. No. 9713242950, **--- Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary Department Of Food, Civil
Supplies And Consumer Protection Department, Mahanadi Bhawan,
New Mantralaya Raipur, Police Station - Rakhi, District Raipur
(Chhattisgarh).
2. Collector Mungeli, District Mungeli (Chhattisgarh)
3. Managing Director Chhattisgarh State Co-Operative Marketing
Federation Limited, 6th Floor, Tower-C, Commercial Complex CBD

Sector 21, Atal Nagar Nawa Raipur, District Raipur (Chhattisgarh)

4. Assistant Registrar Co-Operative Societies Mungeli, Police Station, Tahsil And District Mungeli (Chhattisgarh)
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, Tahsil And District Mungeli (Chhattisgarh)
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station - Civil Line, Tahsil And District - Bilaspur (Chhattisgarh)
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli (Chhattisgarh)

---- Respondent

WPC No. 2971 of 2021

Kanakram Sahu S/o Shri Amarnath Sahu, Aged About 40 Years
Occupation- Incharge, Paddy Procurement Centre Jagarhata, (Reg. No. 1920), R/o Village And Post- Pandwari, Police Station, Tahsil And District- Mungeli, Chhattisgarh

--- Petitioner

Versus

1. State of Chhattisgarh Through Secretary Department Of Food, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, New Mantralaya Raipur, Police Station- Rakhi, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Mungeli, District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh
3. Managing Director, Chhattisgarh State Co-Operative Marketing Federation Limited, 6th Floor, Tower-C, Commercial Complex CBD Sector 21, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh,
4. Assistant Registrar, Co-Operative Societies Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh.
5. District Marketing Officer, Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh.
6. Chief Executive Officer, Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh.
7. Nodal Officer, Zila Sahkari Kendriya Bank Maryadit Mungeli, District- Mungeli, Chhattisgarh

--- Respondents

WPC No. 2973 of 2021

Basant Nirmalkar S/o Late Bhagauram Nirmalkar Aged About 60 Years Occupation- Incharge, Paddy Procurement Center Dharampura (Reg. No. 91), R/o Dr. Heeralal Ward, Daupara Mungeli, Police Station, Tahsil and District Mungeli, Chhattisgarh Mo. No.

9098973965,

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Department Of Food, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, new Mantraya Raipur, Police Station- Rakhi, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector, Mungeli, District : Mungeli, Chhattisgarh
3. Managing Director, Chhattisgarh State Co-Operative Marketing Federation Limited, 4th Floor, Tower-C, Commercial Complex CBD, Sector 21, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh,
4. Assistant Registrar, Co-Operative Societies Mungeli, Police Station And Tahsil And District Mungeli, Chhattisgarh.
5. District Marketing Officer, Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station, tahsil And District- Mungeli, Chhattisgarh.
6. Chief Executive Officer, Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh.
7. Nodal Officer, Zila Sahkari Kendriya Bank Maryadit Mungeli, District Mungeli, Chhattisgarh.

- Respondents**WPC No. 2975 of 2021**

Anurag Singh Rajput S/o Kapil Singh Rajput Aged About 46 Years
Occupation Incharge Paddy Procurement Center Mohtarateli (Reg
No. 1475), R/o Village And Post Jhaphal, Police Station And Tahsil
Lormi, District Mungeli Chhattisgarh Mo. No. 7222946767

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Food, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Raipur Police Station Rakhi, District Raipur Chhattisgarh
2. Collector Mungeli District Mungeli Chhattisgarh
3. Managing Director, Chhattisgarh State Cooperative Marketing Federation Maryadit Limited, 6th Floor, Tower-C Commercial Complex, CBD Sector 21, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
4. Assistant Registrar Cooperative Societies, Mungeli Police Station And Tahsil And District Mungeli Chhattisgarh
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipdan Sangh Maryadit Mungeli, Police Station Tahsil And District Mungeli Chhattisgarh
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur Police Station Civil Line Tahsil And District Bilaspur

Chhattisgarh

7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit, Mungeli District
Mungeli Chhattisgarh --- **Respondents**

WPC No. 2978 of 2021

Gulshan Kumar Sahu S/o Late Pannala Sahu Aged About 29 Years
Occupation - Incharge Paddy Procurement Center Semarkona (Reg.
No. 95), R/o Village Chhatan, Police Station - Fasterpur, Tahsil and
District Mungeli, Chhattisgarh. Mo. No. 9303838050 --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary Department of Food, Civil
Supplies and Consumer Protection Department, Mahanadi Bhawan,
New Mantralya Raipur, Police Station Rakhi, District Raipur,
Chhattisgarh.
2. Collector Mungeli, District Mungeli, Chhattisgarh.
3. Managing Director Chhattisgarh State Co-Operative Marketing
Federation Limited, 6th Floor, Tower -C, Commercial Complex CBD
Sector 21, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.
4. Assistant Registrar Co-Operative Societies Mungeli, Police Station,
Tahsil and District Mungeli, Chhattisgarh.
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh
Maryadit Mungeli, Police Station, Tahsil And District Mungeli,
Chhattisgarh.
6. Cheif Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru
Chowk Bilaspur, Police Station - Civil Line, Tahsil and District
Bilaspur, Chhattisgarh.
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli, District
Mungeli, Chhattisgarh. --- **Respondents**

WPC No. 2981 of 2021

Govind Singh Kshatriya S/o Shri Kaushal Singh Kshatriya Aged About
32 Years Occupation- Incharge Paddy Procurement Centre- Lalakapa
(Reg No. 2109), R/o- Daupara, Mungeli, Police Station, Tahsil And
District- Mungeli, Chhattisgarh. Mob. No.- 7999697076 - **Petitioner**

Versus

1. State of Chhattisgarh through Secretary Department of Food, Civil
Supplies And Consumer Protection Department, Mahanadi Bhawan,
New Mantralaya, Raipur, Police Station- Rakhi, District- Raipur,
Chhattisgarh.
2. Collector Mungeli, District- Mungeli, Chhattisgarh.
3. Managing Director Chhattisgarh State Co-Operative Marketing
Federation Limited, 6th Floor, Tower- C, Commercial Complex CBD
Sector 21, Atal Nagar, Nawa Raipur, District- Raipur, Chhattisgarh.

4. Assistant Registrar Co-Operative Societies Mungeli, Police Station- Tahsil And District- Mungeli, District : Mungeli, Chhattisgarh
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station- Tahsil And District- Mungeli, Chhattisgarh.
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk, Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh.
7. Nodal Officer Zila Sahkari, Kendriya Bank Maryadit, Mungeli, District : Mungeli, Chhattisgarh

--- Respondents

WPC No. 2982 of 2021

Balluram Yadav S/o Late Ramlal Yadav Aged About 56 Years
Occupation Incharge Paddy Procurement Center Singhanpuri (Reg.
No. 1355), R/o Village Bampara, Police Station Tahsil And District
Mungeli Chhattisgarh. Mo. No. 9981122623.

--- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Department of Food, Civil Supplies And Consumer Protection Department Mahanadi Bhawan, New Mantralaya, Raipur Police Station Rakhi, District Raipur Chhattisgarh.
2. Collector Mungeli District Mungeli Chhattisgarh.
3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Limited, 6th Floor, Tower C, Commercial Complex CBD Sector 21, Atal Nagar Nawa Raipur, District Raipur Chhattisgarh.,
4. Assistant Registrar Co-Operative Societies Mungeli, Police Station Tahsil And District Mungeli Chhattisgarh.
5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit Mungeli, Police Station Tahsil And District Mungeli Chhattisgarh.
6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur Police Station Civil Line, Tahsil And District Bilaspur District : Bilaspur, Chhattisgarh
7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit Mungeli District Mungeli, District : Mungeli, Chhattisgarh

--- Respondents

WPC No. 2983 of 2021

Deendayal Sahu S/o Chaitram Sahu Aged About 29 Years Occupation- Incharge Paddy Procurement Centre Tedhadhaura (Reg No. 956), R/o Village- Chakarbhatha, Police Station, Tahsil And District- Mungeli, Chhattisgarh. Mob. - 7999361628

--- Petitioner

Versus

1. State of Chhattisgarh Through Secretary Department Of Food, Civil

Supplies And Consumer Protection Department, Mahanadi Bhawan,
New Mantralaya, Raipur, Police Station- Rakhi, District- Raipur,
Chhattisgarh.

- 2. Collector Mungeli, District- Mungeli, Chhattisgarh.
- 3. Managing Director Chhattisgarh State Co-Operative Marketing Federation Limited, 6th Floor, Tower-C, Commercial Complex CBD Sector 21, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
- 4. Assistant Registrar Co-Operative Societies, Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh.
- 5. District Marketing Officer Chhattisgarh Rajya Sahkari Vipadan Sangh Maryadit, Mungeli, Police Station, Tahsil And District- Mungeli, Chhattisgarh.
- 6. Chief Executive Officer Zila Sahkari Kendriya Bank Maryadit Nehru Chowk Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh.
- 7. Nodal Officer Zila Sahkari Kendriya Bank Maryadit, Mungeli, District- Mungeli, Chhattisgarh.

--- Respondents

For the petitioner(s)	Mr. Ratnesh Kumar Agrawal, Advocate
For the State-respondents	Mr.Siddharth Dubey, Dy. Govt. Advocate & Mrs. Astha Shukla, P.L.
For Respondent 3 & 5 i.e., C.G. State Cooperative Marketing Federation Ltd.	Mr. Ashish Surana, Advocate
For Respondent-Bank	Mr. Jitendra Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-07-2021

Heard.

- 1. As the facts and issue projected in all the petitions are similar, they are decided by this common order.
- 2. The petitioners who are in individual capacity were appointed by the Collector to the various paddy procurement centres by order dated 29-11-2020. According to such order, they were to supervise the

procurement by the paddy procurement centre societies and to further ensure that procured paddy is transported to the MARKFED. It is stated that the *tri partite* agreement was entered in between the Society in which the petitioner was appointed as a supervisor, C.G. State Cooperating Marketing Federation Limited through District Marketing Officer and the District Cooperative Central Bank Limited. The agreement lays down the guidelines and terms of procurement and transportation.

3. Learned counsel for the petitioners would submit that according to Clause 2 of the agreement, the initial duty of transportation of the paddy was with Marketing Federation through its District Marketing Officer and the transporter was under obligation to shift/transport the paddy to the storage centres. It is stated that the paddy procured from farmers was required to be transferred within 1 month from the date of procurement and the last cut-off date to transport the paddy was 31.03.2021. He further submits that at the time of procurement of paddy, the moisture content in the paddy was required to the extent of 17 % and the paddy above the said moisture extent was not entitled for acceptance from the farmers. It is stated that the time-line of transportation was specifically agreed for the reason that paddy once accepted do not lose its moisture thereby the weight, if otherwise kept for a specific period of time in the open sun. It is further stated with the ongoing monsoon if the paddy is left open to open sky it would also loose it's quality and eventually may turn out to be a rotten lot. He would submit that in such eventuality the paddy procurement centres would sustain loss for the loss of weight or damage caused by rain. It is further stated that buffer stock limit was to be fixed by District Cooperative Central Bank and if the paddy is procured more than the buffer limit it was required to be lifted within 72 hours. It is further stated that with the commencement of the rainy season (monsoon) till date paddy are not lifted and some part of the

paddy are submerged into the water due to rain which has caused the loss.

4. It is further submitted that despite due diligence exercised by the petitioners by giving several representations the paddy was not lifted from the procurement centres to the storage centre which was the duty of Marketing Federation through its District Marketing Officer. They would submit that in order to transport the paddy the Delivery Order (DO)/ Transport order (TO) are required to be issued. Delivery Order (DO) is issued by District Marketing Officer of a particular District wherein the paddy was kept and Transportation Order (TO) was issued to the Transporter so as to carry the paddy to the destination for which it was meant for. It is submitted that in absence of issuance of TO & DO the procurement centre could not transfer the paddy, therefore no transportation could be carried out by procurement centre and eventually it caused loss. It is further submitted that after advent of the monsoon since the paddy was left in the open sky as such with the accumulation of the water, few part of the paddy are sub merged and also the other paddy which has completely become wet. It is further submitted that though the paddy was not lifted for the fault of the respondents Marketing Federation but in order to pass on the liability threats are being extended that the criminal case would be registered as the petitioners were to supervise the procurement and disbursement.
5. Per contra, learned counsel for respondents C.G. State Cooperating Marketing Federation Limited and District Marketing Officer would submit that the agreement on which the petitioners are harping upon is a *tri parte* agreement which contains an arbitration clause, therefore, the party who was at fault cannot be adjudicated by this Court by taking evidence which is to be established before the appropriate forum as agreed upon by the parties. It is further submitted that whether the petitioners themselves failed in their duty is required to be enquired into

as unilaterally the submission of the petitioners cannot be accepted.

6. Learned State counsel also adopts the argument of the respondent-Markfed.
7. Perused the documents filed with the petitions.
8. The main dispute which arises out appears to be of non-lifting of the paddy lying at paddy procurement centres which was required to be shifted to the storage centres. The agreement, which is referred and relied upon by petitioners as also the respondents, prescribes agreed terms and Clause 2 initially reflects that the initial duty of transportation would be that of District Marketing Federation and the transporter was required to transfer the paddy in the specified centre as directed. Clause 2.6 of the agreement purports that in case the Marketing Federation is unable to transport the paddy then it would be the duty of procurement centre to transfer the same in the specified rate to the paddy storage centre and they would be entitled to get reimbursement. Clause 2.7 also purports that if the stock increases from the buffer stock limit prescribed, then it would be lifted within 72 hours. Clause 2.8 purports that entire paddy would be lifted by the MARKFED till 31/03/2021. Admittedly that period has passed. As on date near about four months have already passed.
9. Admittedly, as on date the paddy is lying with the paddy procurement centre. The submission of the petitioners that in case if the Marketing Federation fails to transport the paddy within time, the procurement centre can transfer it as per Clause 2.6 of the agreement provided that the DO/ TO is issued but it was not issued. It is question of fact as to whether DO/ TO was issued or not and who was at fault to transport the paddy to the storage centre. This issue can only be resolved when the facts are produced. It is obvious that if the paddy are left in the open sky as the rain has started it will cause loss to the paddy and the entire stock may be damaged, therefore the fact that why the paddy was not lifted

despite certain representation which has been placed on record it is to be enquired into and in case the paddy is not lifted despite due diligence of the petitioners, for the loss of the paddy the petitioners cannot be unilaterally held responsible either for their loss of amount or damages or any criminal liability.

10. The agreement contains Clause 14 which is about Arbitration. It reads as under:-

14. अर्बिट्रेशन:-

इस अनुबंध की किसी भी कण्डिका से संबंधित विवाद उत्पन्न होने की स्थिति में विवाद के निर्णय हेतु जिले में जिला कलेक्टर का निर्णय अन्तिम होगा जो उभयपक्षों को मान्य होगा। कलेक्टर द्वारा दिये गये निर्णय की अपील उभयपक्षों द्वारा संबंधित जिले के संभागीय आयुक्त को की जा सकेगी।

11. The submissions of the petitioners and the respondents would show as on date that the dispute arisen about the performance of the agreement is quite logical that if the paddy was not transferred because of the fault of Marketing Federation and caused loss and further loss by rains it cannot be passed on to head of the petitioners. The submission of the petitioners that in absence of the DO/TO the paddy could not be transferred is also required to be examined to finalize the liability. All these issues are required to be adjudicated, at the same time, the petitioners cannot be driven to a corner by arm twisting method to lodge FIR for any loss which might have been caused. Therefore, under the facts of this case, to arrive at the finding of fact about failure of performance of agreement on either part of the party i.e. procurement centre or State Marketing Federation as per Clause 14, the issue is referred to the Collector of the particular district. The Collector shall adjudicate the issue after the evidence is adduced about the non-performance of part of the contract by either of the parties and shall thereafter decide it accordingly. The petitioners

shall be at liberty to invoke clause 14 i.e. Arbitration Clause along with the memo of their claim for 2020-21 within a period of 2 weeks and the same shall be concluded with a reasonable time. The petitioners shall also be entitled to file any interim application in the circumstances of the case to claim interim due or any other relief(s) to arrest further loss of paddy.

12. With the aforesaid observation, the petitions stand disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**

Rao