

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3110 of 2021

M/s Mahek Rice Mill Through Its Proprietor Shri Abdul Gani Memon,
Aged About 43 Years, S/o Haji Mohammad Ismail R/o Village
Korgaon, Vishrampur Road, Keshkal, Tehsil Bade Rajpur , District
Kondagaon Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Food, Civil Supplies And
Consumer Protection Department, Mantralaya, Mahanadi Bhawan,
Naya Raipur, District Raipur Chhattisgarh.
2. Chhattisgarh State Cooperative Marketing Federation Limited
Through Its Managing Director, Civil Lines, Raipur, Tehsil And
District Raipur Chhattisgarh.
3. Chhattisgarh State Cooperative Marketing Federation Limited
Through Its District Marketing Officer, Tehsil And District
Kondagaon, Chhattisgarh.
4. Collector Food Branch, Tehsil And District Kondagaon,
Chhattisgarh.
5. District Food Inspector District Kondagaon, Chhattisgarh.

---- Respondents

For petitioner- Shri Pranjali Agrawal, Advocate.

For State – Shri Ashish Tiwari, G.A.

For respondents No.2 & 3 – Shri Ashish Surana, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/08/2021

Heard.

1. Learned counsel for the petitioner would submit that initially on the
background of a fact that recovery proceeding before the DRT was
pending the petitioner was not allowed to run his mill, however the order
Annexure P-7 would show that issue was settled under the one time
settlement scheme, therefore no proceeding is pending before the DRT.
Thereafter the petitioner sought permission to run the mill and in order to
carry out the custom milling the Chhattisgarh Rice Custom Milling Order,
2016. It is submitted the permission to run the mill for custom milling was
sought as contemplated under Rule 4 but the Collector has not granted

the permission thereby was not allowed to run the mill. He would submit that representation was also filed with the Chief Minister Annexure P-9 and lastly the representation was filed before the Collector by Annexure P-11 on 23/06/2021 with a request that they want to do the work of custom milling, therefore the permission be granted. It is stated that despite considerable time has passed no decision has arrived.

2. Considering the limited prayer of the petitioner that the application made to the Collector may be decided within a specified time so that he can run his business, the respondent No.4, Collector, Kondagaon is directed to decide the application of the petitioner dated 23/06/2021 to grant custom milling in accordance with the rules within a period of 15 days from the date of receipt of this order.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE