

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 4850 of 2021**

Suresh Kumar Chandravanshi S/o Late Faguram Chandravanshi
Aged About 65 Years, R/o Village Amlidih, Police Station Pipariya,
Tahsil Kawardha, District Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Co-Operative Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.
2. Chhattisgarh State Marketing Federation Limited Through Its Managing Director, At Its Headquarters, Sector- 21, Atal Nagar, Raipur, District Raipur, Chhattisgarh. Pin 492002.
3. District Marketing Officer, Chhattisgarh State Co-Operative Marketing Federation Limited, Kawardha, District Kabirdham, Chhattisgarh.
4. Branch Manager, District Co- Operative Central Bank Limited, Branch Dashrangpur, District Kabirdham, Chhattisgarh.
5. Collector, District Kabirdham, Chhattisgarh.
6. Sub Divisional Officer (Revenue) Kawardha, District Kabirdham, Chhattisgarh.
7. Tehsildar Kawardha, District Kabirdham, Chhattisgarh.
8. Shivkumar S/o Late Faguram Chandravanshi, R/o Village Amlidih, Tahsil Kawardha, District Kabirdham, Chhattisgarh.
9. Manager, Co-Operative Society, Paddy Procurement Center, Chacedi, Tahsil Kawardha, District Kabirdham, Chhattisgarh.

---- Respondents

For Petitioner	:	Ms. Upasana Mehta, Advocate
For State/Respondents 1 & 5 to 7:	:	Mr. Ravi Bhagat, Dy. Govt. Advocate
For Respondents 2 & 3	:	Mr. Vinod Deshmukh, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.12.2021**

1. The present writ petition has been filed primarily aggrieved of the inaction on the part of the respondents in not considering the case of petitioner for registration of his name independently for the purpose of sale of paddy so far as his share in the property jointly owned by the three brothers.
2. During the course of hearing, learned counsel for petitioner by way of a covering memo has brought a copy of the family partition entered into among the three brothers on 03.04.2021 and also there is an order passed by the Naib Tahsildar dated 31.12.2019 in this regard.
3. Learned counsel appearing for the respondents 1 & 5 to 7 submits that in the light of the family partition that has taken place on 03.04.2021 and also taking note of the previous order of the Naib Tahsildar, the writ petition at this juncture can be disposed of directing the respondents 5, 6 & 9 to take a fresh decision on the claim of petitioner so far as seeking permission to be registered as an independent member for the purpose of selling his paddy and also in respect of the grievance pertaining to the paddy which has already been sold by respondent no.8 from the land jointly owned by the three brothers till the family partition had finally taken place.
4. Accordingly, let the petitioner approach the respondents 5, 6 & 9 within a period of two weeks from the date of receipt of copy of this order and upon such application being made, the respondents 5, 6 & 9 shall take an appropriate decision taking into consideration the entire facts and circumstances of the case and also taking note of the family partition dated 03.04.2021, at the earliest preferably within a

further period of 30 days.

5. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**

Khatai