

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 945 of 2020**

1. Janak Ram Bhargav S/o Lt. Malikram Bhargav Aged About 56 Years Manager, Primary Agricultural Credit Cooperative Society Ltd., Tikari, Reg No. 159. R/o Village And Post- Tikari, Tehsil And Police Station- Masturi, District- Bilaspur, Chhattisgarh
2. Komal Prasad Chandrakar S/o Shri Phaguram Chandrakar Aged About 40 Years Manager, Primary Agricultural Credit Cooperative Society Ltd., Gatoura, Reg No. 1294 R/o Village- Karra, Post- Darrighat, Distt.- Bilaspur, Chhattisgarh.
3. Manoj Kumar Ratre S/o Lt. Charanlal Ratre Aged About 45 Years Manager, Primary Agricultural Credit Cooperative Society Ltd., Masturi, Reg No. 169, R/o Village And Post- Masturi, District- Bilaspur, Chhattisgarh.
4. Gyan Prasad Kariyare S/o Lt. Babulal Kariyare Aged About 47 Years Manager, Primary Agricultural Credit Cooperative Society Ltd., Jairamnagar, Reg No. 3089, R/o Village And Post- Masturi, Tehsil And Police Station- Masturi, District- Bilaspur, Chhattisgarh
5. Krishna Kumar Singh S/o Lt. Abhay Sing Aged About 57 Years Manager, Primary Agricultural Credit Cooperative Society Ltd., Kirari And Sub Centre- Vedparsada Reg No. 83 R/o Village And Post - Masturi, Tehsil And Police Station- Masturi, District- Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Food Civil Supply, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
2. Managing Director Apex Bank, Pandri Raipur, District- Raipur, Chhattisgarh.,
3. Chhattisgarh State Cooperative Marketing Federation Ltd. Through- General Manager, 6th Floor, Tower-C Commercial Complex, C.B.D. Sector-21, Atal Nagar Raipur, District- Raipur, Chhattisgarh
4. District Mrketing Officer Through Office Of District Marketing Federation, Bilaspur, District- Bilaspur, Chhattisgarh.
5. District Cooperative Central Bank Ltd. Bilaspur Through, Chief Executive Officer, District Cooperative Central Bank Ltd. Bilaspur, District- Bilaspur, Chhattisgarh

---Respondents

For Petitioner	: Shri Awadh Tripathi, Adv.
For State	: Shri Amrito Das, Addl. A.G.
For Respondents No. 2	: Shri Jitendra Shrivastava, Adv.
For Respondent No. 4	: Shri Ashish Surana, Adv.
For Respondent No. 5	: Shri Sangharsh Pandey, Adv.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/03/2020**

1. The grievance of the petitioners substantially is the non lifting of the paddy which lies with the society of the respondents No. 3 & 4.
2. The further grievance of the petitioners is that due to the frequent changing of weather, rains and hailstorm, that are frequently occurring, the paddy lying in the field is getting damaged and destroyed and therefore, the respondents No. 3 & 4 should lift the paddy at the earliest.
3. Today, when the matter is taken up, the Counsel for the respondents No. 3 & 4 on instruction submits that the Transportation order has already been issued to the transporter who has entered into an agreement with the respondents No. 3 & 4 and the time limit for lifting that paddy is extended by uptill 31 March.
4. It is further revealed from the agreement that is entered into between the parties that, in the event, if the respondents No. 3 & 4 is not in a position to get the paddy lifted within the stipulated period, the concerned societies shall have a right to invoke the provision of clause 2.6 of the agreement and get the paddy lifted and transported by the petitioners themselves.
5. Given such a situation, the petitioners shall approach the respondents No. 3 & 4 on 30th of March seeking for the destination at which the petitioners can lift the paddy themselves and deliver to the respondents No. 3 & 4 in terms of clause 2.6.
6. It is also made clear that, the quality of the paddy and acceptance or rejection of paddy so transported by the petitioners would be acceptable or rejectable as per the terms of the agreement entered into between the parties dealing with the standards and specification given for the same.
7. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge