



2026:CGHC:29686



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1761 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Saraipali Procurement Center Saraipali, Registered Society Under Cooperative Societies Act, Registration No. 1238, Through Its Society Incharge And Paddy Purchase Incharge- Shailendra Shekhar Yadav, S/o. Bhajan Singh Yadav, Aged About 49 Years, Procurement Center Saraipali, Branch Saraipali, District Mahasamund (C.G.)

--- **Petitioner**

versus

1 - State Of Chhattisgarh Through- The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar District- Raipur (C.G.).

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector- 21, C.B.D. Coplex, 6th Floor, Atal Nagar, Nawa Raipur (C.G.).

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhavan, Atal Nagar, Nawa Raipur (C.G.)

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District- Raipur (C.G.).

5 - The Collector Mahasamund, District- Mahasamund (C.G.).



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6 - The Sub Divisional Officer (Revenue) Saraipali, District- Mahasamund (C.G.).

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit, District- Mahasamund (C.G.).

8 - The Deputy Registrar Cooperative Societies, Mahasamund, District- Mahasamund (C.G.).

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur Branch Saraipali, District- Mahasamund (C.G.).

10 - The Officer On Special Duty Apex Bank, Mahasamund, District- Mahasamund (C.G.).

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur, District- Raipur (C.G.).

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur, Branch Mahasamund, District- Mahasamund (C.G.)

--- Respondents

WPC No. 2372 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Bhothaldeeh Procurement Center Bhothaldeeh, Registered Society Under Cooperative Societies Act, Registration No. 1266, Through Its Salesman And Paddy Purchase Incharge - Manoj Sahu, S/o Shri Chandrabhan Sahu, Aged About 44 Years, Procurement Center Bhothaldeeh, Branch Saraipali, District- Mahasamund (C.G.)

---Petitioner

Versus



1 - The State Of Chhattisgarh Through- The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District- Raipur (C.G.)

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector - 21, C.B.D. Complex, 6th Floor, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District- Raipur (C.G.)

5 - The Collector Mahasamund, District- Mahasamund (C.G.)

6 - The Sub Divisional Officer (Revenue) Saraipali, District- Mahasamund (C.G.)

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit, District- Mahasamund (C.G.)

8 - The Deputy Registrar Cooperative Societies Mahasamund, District- Mahasamund (C.G.)

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur, Branch Saraipali, District- Mahasamund (C.G.)

10 - The Officer On Special Duty Apex Bank, Mahasamund, District- Mahasamund (C.G.)

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur, District- Raipur (C.G.)

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur, Branch Mahasamund, District- Mahasamund (C.G.)

**WPC No. 1748 of 2026**

1 - Prathmik Krishi Saksh Sahkari Samiti Maryadit Rudha Procurement Center Rudha, Registered Society Under Cooperative Society Act, Registration No. 1348, Through Its Assistant Committee Manager And In-Charge Committee- Lalit Kumar Das, S/o. Shri Tapneshwar Das, Aged About 56 Years, Procurement Center Rudha, Branch Saraipali, District- Mahsamund (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through- The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur Atal Nagar District- Raipur (C.G.)

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector- 21, C.B.D. Complex 6th Floor, Atal Nagar (C.G.)

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhavan, Atal Nagar, Nawa Raipur (C.G.)

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District- Raipur (C.G.)

5 - The Collector Mahasamund, District- Mahasamund (C.G.)

6 - The Sub Divisional Officer (Revenue) Saraipali, District- Mahasamund (C.G.)

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit, District- Mahasamund (C.G.)



8 - The Deputy Registrar Cooperative Societies, Mahasamund, District- Mahasamund (C.G.)

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur, Branch Saraipali, District- Mahasamund (C.G.)

10 - The Officer On Special Duty Apex Bank, Mahasamund, District- Mahasamund (C.G.)

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur, District Raipur (C.G.)

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur Branch Mahasamund, District- Mahasamund (C.G.)

--- Respondents

WPC No. 1739 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Nunpani, Procurement Center Amarkot, Registered Society Under Cooperative Societies Act, Registration No.1199, Through Its Society Incharge And Paddy Purchase Incharge- Nehru Lal Mehar, S/o Shri Krishna Chandra Meher, Aged About 33 Years, Procurement Center Amarkot, Branch Saraipali District-Mahasamund (C.G.)

---Petitioner

Versus

1 - The State Of Chhattisgarh Through The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar District-Raipur (C.G.)

2 - The Managing Director, Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector 21, C.B.D. Complex, 6th Floor, Atal Nagar, Nawa Raipur (C.G.)



3 - The Registrar, Chhattisgarh Cooperative Society, Indrawati Bhawan, Atal Nagar, Nawa Raipur (C.G.)

4 - The Managing Director, Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District-Raipur (C.G.)

5 - The Collector, Mahasamund, District-Mahasamund (C.G.)

6 - The Sub Divisional Officer(Revenue),) Saraipali, District-Mahasamund (C.G.)

7 - District Marketing Officer, Chhattisgarh State Cooperative Marketing Federation Maryadit, District-Mahasamund (C.G.)

8 - The Deputy Registrar Cooperative Societies , Mahasamund, District-Mahasamund (C.G.)

9 - Branch Manager, Jila Sahkari Kedriya Bank Maryadit, Raipur, Branch Saraipali, District- Mahasamund (C.G.)

10 - The Officer On Special Duty, Apex Bank, Mahasamund, District-Mahasamund (C.G.)

11 - The Chief Executive Officer, Head Office District Cooperative Central Bank Limited Raipur, District- Raipur (C.G.)

12 - The Nodal Officer, District Cooperative Central Bank Limited Raipur, Branch Mahasamund, District-Mahasamund (C.G.)

--- Respondents

WPC No. 1734 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Maldamal Procurement Center Maldamal, Registered Society Under Cooperative Societies Act,



Registration No. 892, Through Its Clerk And Committee Incharge- Arun Kumar Pradhan, S/o Late Rameshwar Pradhan, Aged About 34 Years, Procurement Center Maldamal, Branch Saraipali, District Mahasamund (C.G.)

---Petitioner

Versus

1 - The State Of Chhattisgarh Through- The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar District- Raipur (C.G.)

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector- 21, C.B.D. Complex, 6th Floor, Atal Nagar, Nawa Raipur (C.G.)

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhavan, Atal Nagar, Nawa Raipur (C.G.)

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District- Raipur (C.G.)

5 - The Collector Mahasamund, District- Mahasamund (C.G.)

6 - The Sub Divisional Officer (Revenue) Saraipali, District Mahasamund (C.G.)

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit, District Mahasamund (C.G.)

8 - The Deputy Registrar Cooperative Societies, Mahasamund, District Mahasamund (C.G.)

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur, Branch Saraipali, District Mahasamund (C.G.)



10 - The Officer On Special Duty Apex Bank, Mahasamund, District Mahasamund (C.G.)

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur, District Raipur (C.G.)

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur, Branch Mahasamund, District Mahasamund (C.G.)

--- Respondents

WPC No. 1908 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Putka Maryadit Putka Procurement Center Putka Registered Society Under Cooperative Societies Act Registration No. 890, Through Its Salesman And Paddy Purchase Incharge -Bhojraj Sahu, Aged Abuat 35 Years, Procurement Center Putka, Branch Saraipali, District Mahasamund (C.G.)

---Petitioner

Versus

1 - The State Of Chhattisgarh Through The Secretary Department Of Food Civil Supplies And Consumer Protection Mantralaya Mahanadi Bhawan Nawa Raipur, Atal Nagar District -Raipur (C.G.)

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (Markfed), Sector-21 C.B.D. Complex, 6th Floor, Atal Nagar, Nawa Raipur (C.G.)

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhawan, Atal Nagar Nawa Raipur (C.G.)

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri Indira Gandhi Parisar, District -Raipur (C.G.)



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5 - The Collector Mahasamund District- Mahasamund (C.G.)

6 - The Sub Divisional Officer (Revenue), Saraipali, District Mahasamund (C.G.)

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit District Mahasamund (C.G)

8 - The Deputy Registrar Cooperative Societies Mahasamund, District Mahasamund (C.G.)

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur Branch Saraipali District Mahasamund (C.G.)

10 - The Officer On Special Duty Apex Bank Mahasamund District Mahasamund (C.G.)

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur ,district Raipur (C.G.)

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur, Branch Mahasamund District Mahasamund (C.G.)

--- Respondents

WPC No. 1768 of 2026

1 - Prathmik Krishi Sakh Sahkari Samiti Maryadit Tiharipali Procurement Center Tiharipali, Registered Society Under Cooperative Societies Act, Registration No. 891, Through Its Salesman - Mulchand Patel, S/o Lingraj Patel, Aged About 48 Years, Procurement Center Tiharipali, Branch Saraipali, District Mahasamund Chhattisgarh

---Petitioner

Versus



1 - The State Of Chhattisgarh Through The Secretary, Department Of Food Civil Supplies And Consumer Protection, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar District - Raipur Chhattisgarh

2 - The Managing Director Chhattisgarh State Cooperative Marketing Federation Limited (M A R K F E D), Sector - 21, C B D Complex, 6th Floor, Atal Nagar, Nawa Raipur Chhattisgarh

3 - The Registrar Chhattisgarh Cooperative Society, Indrawati Bhavan, Atal Nagar, Nawa Raipur Chhattisgarh

4 - The Managing Director Chhattisgarh State Cooperative Bank Limited Raipur, Pandri, Indira Gandhi Parisar, District Raipur Chhattisgarh

5 - The Collector Mahasamund, District Mahasamund Chhattisgarh

6 - The Sub Divisional Officer (Revenue) Saraipali, District Mahasamund Chhattisgarh

7 - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Maryadit, District Mahasamund Chhattisgarh

8 - The Deputy Registrar Cooperative Societies, Mahasamund, District Mahasamund Chhattisgarh

9 - Branch Manager Jila Sahkari Kendriya Bank Maryadit, Raipur, Branch Saraipali, District Mahasamund Chhattisgarh

10 - The Officer On Special Duty Apex Bank, Mahasamund, District Mahasamund Chhattisgarh

11 - The Chief Executive Officer Head Office District Cooperative Central Bank Limited Raipur, District Raipur Chhattisgarh

12 - The Nodal Officer District Cooperative Central Bank Limited Raipur, Branch Mahsamund, District Mahasamund Chhattisgarh

**(Cause title is taken from CIS Periphery.)**

For Petitioner	:	Mr. Roop Ram Naik, Advocate.
For Respective	:	Mr. Amit Nayak, P.L. Ms. Seema Verma, counsel
Respondents		on behalf of Mr. Jitendra Shrivastava, Mr.
		Aniruddha Shrivastava, counsel on behalf of Mr.
		S.S. Baghel, Mr. Vikram Sharma, Advocates. ,

Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

14/07/2026

1. All these captioned writ petitions share a common background and involve the same issues, therefore, they were clubbed, heard together and are disposed of by this common order.
2. For the sake of convenience, Writ Petition (C) No. 1761 of 2026 is treated as the lead case for the purpose of disposing all the writ petitions. The petitioner in the said writ petition has prayed for the following reliefs :-

"10.1 That, this Hon'ble Court may kindly be pleased to direct the respondents authorities to compensate for weight-loss paddy of about 1200.10 quintals and also compensate for loss caused during non-lifting paddy period from 15.01.2026 to 06.02.2026 (about 23 days) despite having buffer stock for long period;

10.2 That, this Hon'ble Court may kindly be pleased to restrain the respondents/Authorities from taking any coercive action, including the registration of FIRs or recovery proceedings against the Petitioner Society or its office bearers, for variation in quality of paddy resulting from the respondents' inaction to lift/transport the stock.



10.3 That, this Hon'ble Court may kindly be pleased to grant other relief which may be suitable in the facts and circumstances of the case in the favour of the petitioner."

3. Brief facts of the case are that Respondent No.1 (State) issued the Policy/Circular regulating the purchase, procurement and time-bound transportation of paddy. Pursuant to the instructions of Respondent No.1 (the State), the paddy procurement period was set from 15.1.2025 to 31.1.2026. During this period, the Petitioner-Society purchased a total 95752.80 quintals of paddy from farmers. The respondent authorities arbitrarily and with malafide intention suspended the MARKFED 'Gatepass App' across Chhattisgarh for 23 days i.e. from 15.1.2026 to 7.2.2026. without any technical justification. This completely halted transportation during the peak season. The respondents successfully lifted 90% to 97% of the procured paddy from various other societies, whereas only 60.37% was lifted from the Petitioner-Society (Serial No. 163), demonstrating hostile discrimination. As on 02.04.2026, a total of 735.58 quintals of paddy remains unlifted and due to which, the Petitioner Society is suffering daily losses as the stored paddy dries and deteriorates day by day. The respondents have failed to comply with the State's mandatory procurement policy dated 15.10.2025 for the Kharif Marketing Season 2025-26 resulting in severe financial loss and unjustified threats of criminal action against the petitioner. Hence, this petition.



4. Learned counsel for the petitioner submits that the impugned action of the respondent authorities, particularly respondents No. 2 & 7 disregards the guidelines and Policy framed by the State Government as well as the tripartite agreement. The responsibility of the petitioner is confined to purchase and safe custody of the paddy stock, however, the alleged shortage in weight is entirely attributable to natural dryage and moisture evaporation caused by severe heat waves, which is completely beyond the control of human. He also submits that the respondents No. 2 & 7 ignored the petitioner's request to transport the paddy as early as possible and they deliberately did not consider this issue. Hence, learned counsel for the petitioner pray to allow the petitions.
5. On the other hand, learned counsel for the Respondent-State as well as Respondent-MARKFED submit that the reliefs sought by the petitioner cannot be granted because it is against the Paddy Procurement Policy for the Session 2025-2026. Under the said Policy, there is no provision for dryage benefit. Furthermore, as far as the transportation part is concerned, the Policy itself provides for a mechanism to remove any hindrance as MARKED states that if transportation facilities cannot be provided by MARKFED, the petitioner-Society is permitted to transport the paddy from the concerned Societies to the Center, as directed by MARKFED. They submit that the expenses incurred by Society would then be adjusted by MARKFED. As such, timely



transportation would be the responsibility of the Society itself.

Therefore, the concerned Society cannot hold the State or MARKFED liable for any delayed transportation of paddy. They lastly submit that since no benefit in respect of dryage of paddy can be granted to the Society under the Policy, the petitions as framed and filed by the petitioner are without merit and liable to be dismissed.

6. Heard learned counsel for the parties and also perused the documents annexed with the petitions.
7. Admittedly, the reliefs sought by the petitioner stem from the natural dryage of paddy, which led to reduction in its total weight due to moisture evaporation. This shortage occurred due to non-lifting and omission to transport the paddy from the Center within the stipulated time. Though the petitioner made several efforts and repeatedly made communications with the respondents to expedite the lifting of the paddy but the concerned authorities chose not to take any steps. Under the Paddy Procurement Policy of the State Government for the Kharif Marketing Session 2025-2026, there are specific provisions i.e. clause 15.9 and clause 16.3, which address the subject issue and are reproduced below :

15.9 धान उपार्जन केन्द्रों में संग्रहित धान के लिए कोई सूखत मात्रा मान्य नहीं होगी।

16.3 धान के परिवहन हेतु निर्धारित परिवहनकर्ता द्वारा परिवहन न किये जाने पर आवश्यकतानुसार



स्वीकृत परिवहन दर पर किसी भी परिवहनकर्ता से परिवहन का कार्य कराया जा सकता है। मार्कफेड द्वारा परिवहन नहीं कराये जाने की स्थिति में स्वीकृत परिवहन दर पर समितियों द्वारा धान का परिवहन कराया जावे। इस हेतु समिति उसे धान भण्डारण व सुरक्षा मद अथवा प्रासंगिक व्यय के मद में प्रदत्त अग्रिम राशि का उपयोग परिवहन देयकों के भुगतान हेतु कर सकेगी तथा ऐसे व्यय की प्रतिपूर्ति विपणन संघ द्वारा समिति को की जाएगी। समितियों द्वारा धान परिवहन कराये जाने पर संग्रहण केन्द्रों में धान भण्डारण करने हेतु उचित व्यवस्था मार्कफेड द्वारा की जावे।

8. A perusal of the aforesaid clauses would show that the State Government has framed a Policy, according to which, no dryage is generally permitted. Clause 16.3 provides that in the event MARKFED fails to transport the paddy from the concerned Societies, the Societies themselves are directed to arrange transportation at the applicable rates with the expenses incurred to be subsequently adjusted by MARKFED. Thus, the main ground raised by the petitioner regarding natural dryage caused by delayed transportation cannot be adjudicated by this Court, as doing so would ignore the terms of the subject Policy, which allows no permissible dryage . The petitioner has entered into an Agreement with the respondents, wherein clause 5.6 of the said Agreement stipulates as under :

5.6- विपणन संघ द्वारा प्रदाय की गई राशि से उपार्जन केन्द्र (समिति) द्वारा धान विपणन संघ को कम प्राप्त होने पर शेष राशि की वसूली समिति को प्रदाय कमीशन एवं अन्य अनुसांगिक मदों से राशि की कटौती की जावेगी । इसके उपरांत भी वसूली योग्य राशि शेष रहने पर जिला विपणन अधिकारी द्वारा छ.ग. राज्य सहकारी सोसायटी



अधिनियम 1960 के अंतर्गत वसूली कार्यवाही हेतु
सक्षम न्यायालय में प्रकरण दर्ज किया जावेगा ।”

9. Likewise, Clause 13 of the Agreement provides the resolution of the disputes between the parties through arbitration, which reads as under:

13- आर्बिट्रेशन :-

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 जिले के संभागीय आयुक्त को की जा सकेगी ।९

10. Considering the facts and circumstances of the case as also considering the State Government's Paddy Procurement Policy for the year 2025-2026, this Court is of the view that an alternative and efficacious remedy exists by invoking arbitration Clause 13 of the Agreement. Since the Agreement itself contains a dispute resolution mechanism for resolving conflicts between the parties, the petitioner ought to have invoked arbitration clause in respect of shortage of paddy. Accordingly, this Court is not inclined to entertain the present writ petitions for the reliefs sought by all the petitioner herein.
11. In view of the above, the petitioner is relegated to raise their disputes before the appropriate authority under the arbitration clause of the Agreement in accordance with law. In the event the petitioner approach the concerned authorities for arbitration



concerning any dispute covered under the said clause, the concerned authorities are directed to consider and decide the same in accordance with law.

12. It is made clear that this Court has not expressed any opinion on the merits of the case. The concerned authorities vested with the jurisdiction to adjudicate the dispute under the arbitration clause are at liberty to initiate and conduct appropriate arbitration proceedings and pass a reasoned order after affording due opportunity of hearing to the petitioner in accordance with law.
13. With these observations/directions, the writ petition stands **disposed of**.

Sd/-
(Amitendra Kishore Prasad)
Judge