



2026:CGHC:21068

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1896 of 2026**

**1** - Krishak Seva Sahkari Samiti Maryadit Biltukari Registration No. 42, A Society Registered Under The Chhattisgarh Co-Operative Societies Act, 1960 And Having Its Registered Address At Beltukri, Tehsil Rajim, District Gariyaband Chhattisgarh Through Its Manager Shri Manoj Kumar Diwakar S/o Shri Kirtan Lal Diwakar, Aged 43 Years, R/o Ward No. 11, Barpara, Kataud, Janjgir-Champa Chhattisgarh 495557

**... Petitioner(s)****versus**

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

**2** - District Marketing Officer Chhattisgarh State Cooperative Marketing Federation Ltd. (C G M A R K F E D), Gariyaband, Behind S B I, Near Tehsil, District Gariyaband Chhattisgarh Email Dmo.Gariyaband16@Gmail.Com

**3** - Chief Executive Officer Jila Sahakari Kendriya Bank Maryadit Raipur, G.E. Road, Rajbandha Maidan, Raipur, Pin 492001 Chhattisgarh

**4** - Nodal Officer Distt. Gariyaband Jila Sahakari Kendriya Bank Maryadit, Raipur, G.E. Road, Rajbandha Maidan, Raipur, Pin 492001 Chhattisgarh Email Nodalgbn@Gmail.Com



5 - Collector District Gariyaband, Chhattisgarh District Collectorate Office Gariyaband, Chhattisgarh Is 493889 Email - Gariaband.Cg@Gov.In

**... Respondents**

**(Cause-title taken from the Case Information System)**

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For Petitioner :- Mr. Mallick Sudip Ravi, Advocate  
For State :- Mr. Amit Nayak, P.L.  
For Respondent No. 2 :- Mr. Abhinav Sharma, Advocate on behalf of  
Mr. Vikram Sharma, Advocate  
For Respondents No. 3 & 4 :- Ms. Seema Verma, Advocate on  
behalf of Mr. Jitendra Shrivastava, Advocate  
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**SB- Hon'ble Shri Justice Amitendra Kishore Prasad**

**Order On Board**

**06.05.2026**

1. The present writ petition under Article 226 of the Constitution of India has been filed by the petitioner–Society seeking a direction to the respondents, particularly Respondent No. 2 (MARKFED), for lifting of procured paddy stock pertaining to Kharif Marketing Year 2025–26, which is lying at the procurement centre despite expiry of the stipulated period, and for protection against losses arising out of such non-lifting.
2. Facts of the case are that the petitioner is a registered Primary Agricultural Cooperative Society engaged in procurement of paddy at Minimum Support Price under the State Procurement Policy. It is the case of the petitioner that procurement operations



were completed on 06.02.2026, however, despite repeated representations, a substantial quantity of paddy remained unlifted beyond the prescribed deadline i.e. 31.03.2026. It is further submitted that against the storage capacity of 10,800 quintals, approximately 28,975.40 quintals of paddy remained stocked at the centre, exposing the petitioner to risk of deterioration, damage and financial liability. The petitioner contends that as per the agreement, the responsibility of lifting lies upon Respondent No. 2.

3. Following reliefs have been prayed by way of this petition:-

*“A) This Hon'ble Court may be pleased to issue a writ, order or direction in the nature of Mandamus, directing Respondent No. 2 and other concerned Respondents to immediately lift the entire procured paddy stock lying at the Petitioner's procurement centre within a fixed time-bound period;*

*B) Direct the Respondents to immediately lift the remaining paddy stock lying at the Petitioner's procurement centre and to discharge their policy obligations of timely lifting, which have been breached despite expiry of the stipulated period on 31.03.2026;*

*C) Direct that any loss, damage, deterioration, shrinkage or any adverse consequences, including any legal or administrative action arising due to delayed, slow or untimely lifting of paddy, shall be borne by the State/concerned Respondents and shall not be fastened upon the Petitioner Society or its Manager;*



*D) Grant any other relief that this Hon'ble Court may deem fit and proper in the interest of justice.”*

4. Learned counsel for the petitioner submits that the petitioner has fulfilled its obligation of procurement strictly in accordance with policy and agreement. However, Respondent No. 2 has failed to lift the paddy within the stipulated time. It is contended that such inaction is arbitrary and results in serious prejudice to the petitioner, including risk of shrinkage, damage and audit liability. It is further submitted that the responsibility for lifting and transportation squarely lies upon MARKFED and the petitioner cannot be made liable for consequences arising out of delay.
5. Learned counsel for Respondent No. 2 submits that Transport Orders (TO) and Delivery Orders (DO) have already been issued and the process of lifting is underway. However, it is fairly submitted that certain quantity of paddy, which has become dry, could not be lifted. It is further submitted that approximately 98.41% of the paddy stock is in the process of being lifted from the concerned centre.
6. Learned counsel appearing for Respondent Nos. 3 and 4 submits that their role is primarily confined to financial coordination and disbursement of payment to farmers. They submit that necessary cooperation has been extended and no lapse can be attributed to them in the matter of lifting of paddy.



7. Learned State counsel submits that the State authorities are monitoring the procurement operations and necessary steps have been taken to ensure lifting of paddy stock. It is submitted that the issue is largely operational and is being addressed at the level of MARKFED.
  
8. Having considered the submissions of learned counsel for the parties and on perusal of the record, it appears that the grievance of the petitioner pertains to non-lifting/delayed lifting of procured paddy stock. From the submissions made by Respondent No. 2, it is evident that TO and DO have already been issued and substantial lifting is in progress. It has also been stated that about 98.41% of the stock would be lifted from the concerned centre. In view of the aforesaid, this Court is of the opinion that the grievance of the petitioner substantially stands addressed, however, appropriate directions are required to ensure completion of the process.
  
9. Accordingly, considering the aforesaid aspects of the matter, the present writ petition is **disposed of** with the directions that the Respondent No. 2 (MARKFED) is directed to ensure lifting of the paddy stock of the petitioner which is found to be in terms of the agreement, expeditiously and without unnecessary delay. It is expected that the remaining quantity, as indicated, shall be lifted in continuation of the ongoing process, preferably within a reasonable period. So far as the paddy which has allegedly



become dry is concerned, the competent authority shall take an appropriate decision in accordance with policy and agreement.

10. If the petitioner still has any surviving grievance, they shall be at liberty to file an appropriate representation/application before the competent authority, which shall be considered and decided in accordance with law.

11. With the aforesaid observations and directions, the writ petition stands disposed of.

12. No order as to costs.

sd/-

**(Amitendra Kishore Prasad)**  
**Judge**

Vishakha