

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2779 of 2026**

- 1** - Ajay Kumar Tamrakar S/o Late Shri Sher Singh Tamrakar Aged About 56 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Dhamdha, Registration No.582, Upkendra Kareli, Tahsil - Dhamdha, District - Durg, Chhattisgarh, Registration No. 3424, R/o Village And Tahsil Dhamdha, District - Durg, Chhattisgarh.
- 2** - Riyazuddin Khan S/o Late Abdul Latif Khan Aged About 45 Years Posted As Society Manager At Sewa Sahakari Samiti Maryadit, Kodiya, Registration No.522, Tahsil - Dhamdha, District - Durg, Chhattisgarh, R/o Kelabadi, Durg, District - Durg, Chhattisgarh.
- 3** - Chandrashekhar Sahu S/o Shiv Prasad Sahu Aged About 38 Years Posted As Society Manager At Sewa Sahakari Samiti Maryadit, Barhapur, Registration No.3325, Tahsil - Dhamdha, District - Durg, Chhattisgarh. R/o Village And Post - Kareli, Tahsil- Dhamdha, District - Durg, Chhattisgarh.
- 4** - Sachin Sahu S/o Alakhram Aged About 31 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Ratadeh, Registration No.3324, Tahsil - Dhamdha, District - Durg, Chhattisgarh, R/o Village- Daganiya, Tahsil Dhamdha, District - Durg, Chhattisgarh.
- 5** - Chandrashekhar Sahu S/o Suresh Kumar Sahu Aged About 37 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Thengabhat, Registration No.613, Tahsil - Dhamdha, District - Durg, Chhattisgarh, R/o Village- Daurabhata, Tahsil Dhamdha, District - Durg, Chhattisgarh.
- 6** - Krishana Kumar Sinha S/o Tiharuram Sinha Aged About 34 Years Presently Posted As Society Manager At Sewa Sahakari Samiti Maryadit, Mohrenga, Registration No.69, Tahsil - Dhamdha, District - Durg, Chhattisgarh, R/o Village- Mohrenga, Tahsil Dhamdha, District - Durg, Chhattisgarh.



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7 - Pushpendra Deshmukh S/o Omprakash Deshmukh Aged About 29 Years Presently Posted As Society Manager At Sewa Sahakari Samiti Maryadit, Matra, Registration No.3328, Tahsil - Dhamdha, District - Durg, Chhattisgarh, R/o Ward No. 55, Pulgaon, District - Durg, Chhattisgarh.

8 - Birendra Kumar Thakur S/o Shri Mohan Lal Thakur Aged About 47 Years Presently Posting As Society Manager At Sewa Sahakari Samiti Maryadit, Kurmigundra, Registration No.711, Branch Ranitarai, Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village And , Tahsil Patan, District - Durg, Chhattisgarh.

9 - Yuvraj Kaushik S/o Late Shri Kriparam Kaushik Aged About 53 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Boried, Registration No.1617,branch Rantitarai, Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village And Tahsil Patan, District - Durg, Chhattisgarh.

10 - Salikram Verma S/o Late Shri Jeevrakhan Verma Aged About 46 Years Presently Working As Society Manager At Vrihattakar Sewa Sahakari Samiti Maryadit, Didabhata, Registration No.703, Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village And Tahsil Patan, District - Durg, Chhattisgarh.

11 - Daneshwar Sahu S/o Thansingh Sahu Aged About 55 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Bharar, Registration No.2527,branch Jamgaon (R), Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village - Jamgaon, Tahsil Patan, District - Durg, Chhattisgarh.

12 - Khumesh Kumar Verma S/o Punaram Verma Aged About 43 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Baterel, Registration No.507,bramnch - Jamgaon(R), Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village Jamgaon (R)tahsil Patan, District - Durg, Chhattisgarh.

13 - Chandu Lal Tandan S/o Kartikram Tandan Aged About 40 Years Presently Working As Society Manager At Sewa Sahakari Samiti Maryadit, Surpa, Registration No.697, Tahsil - Patan, District - Durg, Chhattisgarh, R/o Village Navagaon Tahsil Patan, District - Durg, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Cooperative Affairs, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur, District - Raipur, Chhattisgarh.



2 - Secretary Department Of Foods And Civil Supplies, Mahanadi Bhavan, Mantralaya, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh.

3 - Collector Durg, District - Durg, Chhattisgarh.

4 - Deputy Registrar Cooperative Societies Durg, District - Durg, Chhattisgarh.

5 - Zila Sahakari Kendraiya Bank Maryadit Durg, Through Its Chief Executive Officer, Office At Infront Of Govt. Medical Hospital, G.E. Road, Durg, District - Durg, Chhattisgarh.

6 - Manager Chhattisgarh State Cooperative Marketing Federation Limited, Office At 6th Floor, Tower - C, Commercial Complex, CBD Sector-21, Atal Nagar, Nava Raipur, District - Raipur, Chhattisgarh

7 - District Markfed Officer Chhattisgarh Rajya Sahkari Vipran Sangh, Durg, District - Durg, Chhattisgarh.

8 - District Food Officer Durg, District - Durg, Chhattisgarh.

... Respondent(s)

For Petitioner(s)	: Mr. Abhinav Tiwari, Advocate.
For Respondents No. 1 to 4 and 8/State	: Mr. Akhilesh Kumar, Govt. Advocate.
For Respondent No.5/ Bank	: Mr. Manish Upadhyay, Advocate.
For Respondents No.6 and 7/Markfed.	: Mr. Raj Shengale, Advocate appears on behalf of Mr. N. Naha Roy, Advocate.

SB: Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

04/06/2026

- 1) Heard.
- 2) By way of this petition, the Petitioners have prayed for the following relief(s) :-



- (i) That, the Hon'ble court may kindly be pleased to direct the respondent authorities to call the entire records pertaining to its case.
- (ii) That, this Hon'ble Court be pleased to issue an appropriate writ by directing respondent authorities not take any coercive steps against the petitioners before affording proper enquiry and before giving reasonable opportunity of hearing to the petitioners.
- (iii) That, this Hon'ble Court be pleased to direct the respondent authorities to protect the petitioners on shortage of paddy due to dryness as earlier provided to the millers as per order dated 15.05.2024.
- (iv) That, this Hon'ble Court be pleased to direct the respondent authorities to provide excess amount to the petitioners society for protection of the paddy after 31st March 2026 to till date.
- (v) That, this Hon'ble Court be pleased to direct the respondent authorities to stop harassing the petitioners by pressuring them to fill up the shortage amount from their own cost.
- (vi) That, this Hon'ble Court be pleased to direct the respondent authorities to make an enquiry about the shortage of paddy in petitioners' society due to climate condition and also due to dryness before taking action against the petitioners.
- (vii) Any other relief or relief(s) which this Hon'ble Court may think proper in view of the facts and circumstances of the case may also kindly be granted.



- 3) Learned Counsel for the Petitioners submits that till date no notice has been issued against the Petitioners society, however, the respondent authorities are going to issue notice and take coercive steps against the Petitioners, as such, the Petitioners have filed the instant petition.
- 4) Learned Counsel appearing on behalf of the Respondents, MARKFED as well as Co-operative Bank and the State, submit that till date notices have not been issued, as such this petition is premature. Learned counsel appearing for the Petitioners at this stage submits that the respondent authorities are going to pass orders behind the back of the society without hearing them, as such, the petitioners have rushed before this Court even though there is no notice against them. In similar and identical matters, the respondent authorities have registered FIR against the society without issuing any notice for the same, as such, the petitioners have approached this Court seeking necessary direction.
- 5) Since the Respondents, especially, the MARKFED as well the concerned Co-operative Bank have already submitted that they have not issued any notice against the petitioners, as such, there is no question of FIR to be lodged against the Petitioners unless and until the petitioners are being arrayed and it was found that the society is in default of paddy and the gunny bags, therefore, no FIR etc. can be lodged against the Petitioners. Accordingly, while disposing of this petition, the authorities concerned are directed to pass appropriate orders in case they found any deficiency of paddy or gunny bags



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and that may be informed to the concerned Petitioners without taking any further coercive steps .

- 6) With these observations and directions, the petition stands disposed of.
- 7) In view of above, pending interlocutory applications, if any, shall also stand disposed of.

Sd/-
(Amitendra Kishore Prasad)
Judge

Chandrakant