

Court No. - 39

Case :- WRIT - C No. - 36744 of 2023

Petitioner :- Ahilya And 26 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Pramod Kumar Pandey

Counsel for Respondent :- CSC, Aditiya Kumar Singh, Pramod Kumar Pandey

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Surendra Singh-I, J.

1. Heard Sri Pramod Kumar Pandey, learned counsel for the petitioners; Sri Aditya Kumar Singh, learned counsel for respondent no.4 and Sri Dileep Kumar, learned Standing Counsel for the State-respondents.

2. At the outset, it has been stated, the controversy involved in the present case is covered by an earlier decision of this Court in Writ - C No. 33118 of 2023 (Omprakash & Anr. Vs. State of U.P. & Anr.). Accordingly, the present writ petition is **disposed of** with appropriate modifications in that order :

"When certain amounts were not being paid to the petitioners by the respondent no.3, the petitioners had represented on 30.08.2023 and 01.09.2023.

Sri Aditiya Kumar Singh, learned counsel appearing for the respondent no.4 has stated that a recovery certificate dated 13.2.2023 has already been issued against the respondent no.3 seeking recovery of Rs.4637.86 lacs. This amount, learned counsel for the respondent no.4 states, also includes the basic price of sugarcane; contribution to the society which is respondent no.4 and the interest which is payable by the respondent no.3 of 12% for the season 2021-2022. It has also been stated by learned counsel appearing for respondent no.4 that the properties of respondent no.3 have been attached pursuant to the recovery proceedings.

In view of the recovery proceedings being at an advanced stage, we refrain from passing any further orders. It is, however, expected that the recovery proceedings initiated against the respondent no.3 pursuant to the above noted recovery certificate would be concluded as expeditiously as possible, preferably within a period of three months from the date of communication of this order, if there is no legal impediment."

Order Date :- 26.10.2023

Abhilash

(Surendra Singh-I, J.) (S. D. Singh, J.)