

Court No. - 8

Case :- WRIT - C No. - 10350 of 2023

Petitioner :- M/S Dewan Sugars Ltd. Moradabad Thru. Its Occupier

Respondent :- State Of U.P. Thru. Prin. Secy. Sugar Industry And Cane Development U.P. Lko. And 4 Others

Counsel for Petitioner :- Sudhanshu Chauhan, Jai Prakash Mishra

Counsel for Respondent :- C.S.C., Paramanand Asthana

Hon'ble Pankaj Bhatia, J.

1. Learned counsel for the petitioner states that in the prayer clause, appeal number as been wrongly transcribed.

2. The petitioner is permitted to make necessary correction in the prayer clause during the course of the day.

3. Present petition has been filed with the following prayer:

"(i) To issue a writ, order or direction in the nature of mandamus commanding the opposite party no.2 to decide appeal no.07/2023-24 (Dewan Sugars Ltd., Agwanpur, Moradabad vs. Cane Commissioner Uttar Pradesh and others) filed under Section - 15(4) of the U.P. Sugarcane (Regulation of Supply and Purchase) Act, 1953 expeditiously within such time frame as the Hon'ble Court deems fit in the circumstances of the case.

....."

4. Contention of learned counsel for the petitioner is that although the appeal has been filed by the petitioner, the same is not being decided.

5. Considering the fact that the petitioner has already filed an appeal and in case the same is not decided expeditiously, the same may become infructuous, the present petition is **disposed off** directing respondent no.2 to decide Appeal No.07 of 2023-24 (Dewan Sugars Ltd., Agwanpur, Moradabad vs. Cane Commissioner Uttar Pradesh and others) filed under Section 15(4) of U.P. Sugarcane (Regulation of Supply and Purchase) Act, 1953 expeditiously, preferably within a period of four weeks from today.

6. Needless to add that respondent no.5 shall also be heard while hearing the appeal.

7. This order has been passed in the presence of Shri Parmanand Asthana, learned counsel for respondent no.4.

Order Date :- 28.11.2023

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