

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1136 of 2023

Petitioner :- Shitla Prasad Tiwari And Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Sugarcane And Cane Development Lko. And Another

Counsel for Petitioner :- Alok Kr. Misra, Atul Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.c

(1) Heard Sri Alok Kumar Mishra, learned Counsel for the petitioners and learned Standing Counsel appearing for the State-authorities.

(2) The petitioners in the instant P.I.L. are farmers and are aggrieved against the allocation of Cane Purchase Centre in favour of M/s Bajaj Sugar Mill, Kundurkhi, District Gonda.

(3) At the very outset, learned Standing Counsel has raised a preliminary objection to the effect that the petitioners have their own interest which they otherwise cannot agitate in their individual capacity except through the Cane Co-operative Society of which they are members.

(4) In view of above, it is abundantly clear that the petitioners who are farmers have virtually agitated their own grievance render the P.I.L. non-maintainable. Public interest is the primary objective of PILs for handling matters crucial to the public sphere. Since this is lacking in the instant matter, the preliminary objection raised by the Standing Counsel is sustainable.

(5) The P.I.L. is, accordingly, **dismissed**. However, it is open for the petitioners to agitate their grievance through their Society, if they so desire.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 11.12.2023

Shubhankar