

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION Nos.29173 & 29182 OF 2009

COMMON ORDER:

These writ petitions came to be filed seeking issuance of writ of *Mandamus* to declare the action of the respondents in applying Clause 4 of the Sugar (Control) Order, 1966 and Section 3D of the Essential Commodities Act, 1955 to the entire sugar produced by the petitioner company as arbitrary and illegal, and consequently, to declare that the petitioner company is entitled to sell its free sale sugar stocks manufactured during the season year 2009-2010.

2. When the matter is taken up for hearing, the learned counsel for the petitioners placed on record the order dated 29.10.2009 in W.P.Nos.24852 of 2003 and batch and also the order dated 10.03.2008 in W.P.No.18228 of 2004 passed by this Court and W.P.No.3049 of 2008, wherein this Court directed the respondents therein not to take any steps for prosecution of petitioners therein for sale of levy/free-sale sugar. It is to be noted that on 31.12.2009, this Court granted interim direction permitting the petitioners to sell its free sale sugar stock manufactured during the sugar year 2009-2010 subject to clearing the dues payable to the farmers for the sugarcane crop of previous years and for the present crop.

3. Since the writ petitioners were allowed to sell its free sale sugar stock pursuant to the interim order, the writ petitions are disposed of directing the respondents herein not to take any steps for prosecution of petitioners for sale of levy/free-sale sugar. It is needless to mention that the writ petitioners are always at liberty to approach this Court if they are aggrieved by the action taken by the respondents. There shall be no order as to costs.

4. Miscellaneous Petitions pending, if any, in these Writ Petitions shall stand closed.

JUSTICE C.PRAVEEN KUMAR

Date: 03.02.2016

vhb