

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.12848 of 2019

Date of Decision:15.05.2019

Vinod Kumar and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Anurag Goyal, Advocate for the petitioners.

TEJINDER SINGH DHINDSA J. (Oral)

Petitioners herein are stated to be cane growers and their area has been assigned to the Naraingarh Sugar Mills Limited, Naraingarh, District Ambala/respondent No.5. It is submitted that cane were supplied to respondent No.5 mill during the crushing season 2018-2019 but corresponding payments have not been released.

Instant writ petition has been filed seeking release of the principal amount in lieu of cane supplied in the crushing season 2018-2019.

Learned counsel representing the petitioners would advert to Section 15-A of the Punjab Sugar Cane (Regulation of Purchase and Supply) Act 1953 and as amended by the Haryana Amendment Act No.14 of 1978 and as per which the occupier of a factory/sugar mill is mandated to make arrangements for payment of price of cane as may be prescribed. Further contended that the State of Haryana has promulgated the Haryana Sugar Cane (Regulation of Purchase and Supply) Rules 1992 to carry out

the provisions of 1953 Act. Under Rule 18 it is the Cane Commissioner who is the competent authority to specify the amount outstanding on account of price of cane that has been supplied.

Counsel submits that a representation dated 12.04.2019 (Annexure P-1) already stands supplied to the Cane Commissioner Panchkula/respondent No.3 as also to the Deputy Commissioner, Ambala/respondent No.4 but till date no response has been forthcoming.

Notice of motion.

On the asking of the Court, Mr. N.K. Parmar, AAG, Haryana, accepts notice on behalf of respondent No.1 to 4 and waives service. A complete copy of the writ paperbook has been handed over to learned State counsel in Court today.

Statement of learned counsel is recorded to the effect that respondent No.5 would examine the representation dated 12.04.2019 (Annexure P-1) and would take a decision thereupon as per mandate of the Haryana Sugar Cane (Regulation of Purchase and Supply) Rules 1992 expeditiously and within a period of 8 weeks from today.

In the light of such statement recorded of learned State counsel, no further directions are required to be passed.

Writ petition is disposed of accordingly.

(TEJINDER SINGH DHINDSA)
JUDGE

May 15, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No