

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

CWP No.17740 of 2019 (O&M)

Date of Decision:16.07.2019

Gurmail Singh

.....Petitioner

Versus

The Nakodar Co-operative Sugar Mills Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. S.P. Soi, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

The short grievance raised in the instant petition is that the petitioner and performa respondent No.5 to 30 had supplied sugarcane to the Nakodar Cooperative Sugar Mill, District Jalandhar in the years 2017-2018 but the corresponding payment till date has not been released by the mill in question.

The precise prayer in the instant petition is for issuance of a mandamus directing the respondent mill to release payment of the sale price of sugarcane that had been supplied by the petitioner and private respondents. Furthermore, the payment that has been claimed is alongwith interest @ 15 % per annum

Having heard counsel for the petitioner and without even ascertaining the correctness of the averments made in the petition I deem it appropriate to dispose of the writ petition at the very threshold in terms of granting liberty to the petitioner as also performa respondents to approach to The Cane Commissioner, Punjab, as regards their grievance and claim.

In the eventuality of any such claim being raised, the Cane

Commissioner, Punjab, would be obligated to examine the same in the

light of The Punjab Sugarcane (Regulation of Purchase and Supply) Act 1953, The Punjab Sugarcane (Regulation of Purchase and Supply) Rules 1958, The Sugarcane (Control) Order 1966, as also any other relevant enactment on the subject.

A final decision be taken expeditiously and conveyed to the petitioners.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

July 16, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No