

**IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH**

225

**CWP-22835-2017 (O&M).  
Date of Decision: 11.01.2023.**

**Sugarcane Grower Welfare Society through its President**

.. Petitioner

Versus

**Union of India and others**

... Respondents

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.**

Present: Mr. D.K. Sihag, Advocate,  
for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

Mr. Rahul Sharma, Advocate, for respondents No.5 and 6.

**VINOD S. BHARDWAJ, J. (ORAL)**

The instant writ petition raises an issue regarding the entitlement of the petitioner/sugarcane growers Society to the interest on delayed payment of the sugarcane supplied by the petitioner to the respondent Sugar Mill since payment of principal amount is stated to have been made during the pendency of the present petition.

The issue regarding the entitlement of the Sugar Cane Growers has already been considered by this Court in **CWP No.3098-2020 titled as 'Sukhjot Singh Vs. Nakodar Co-operative Sugar Mills Ltd. and ors.'** **decided on 14.11.2022.** The sugarcane growers have already been held entitled to interest on delayed payment vide the above judgment.

Learned counsel for the respondents is not able to controvert that the controversy regarding the entitlement of the sugar cane growers to

interest on delayed payment would be covered by the ratio of aforesaid judgment and in terms as directed thereunder. He, however, contends that as the petition has been filed by an Association and not the individual cane growers, it may not be possible to verify the individual claims. The same, however, cannot be construed as a disputed question of fact since the record would be available with the respondent and interest is being claimed for delayed release of amount. Hence, the payment is not a subject matter of dispute. It is only in relation to computation of individual claims. The interest has to be disbursed as a principle of law after determining the individual dues within the timeline as laid down in the above judgment.

The present petition is accordingly disposed of in terms of the aforesaid judgment in **CWP No.3098-2020 titled as 'Sukhjit Singh Vs. Nakodar Co-operative Sugar Mills Ltd. and ors.'** decided on 14.11.2022.

January 11, 2023  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

*Whether speaking/reasoned* : Yes/No  
*Whether reportable* : Yes/No