



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.54 OF 2007

Just Society

...Petitioner

V/s.

Union of India and Ors.

...Respondents

None for the Petitioner.

Mr. R.D. Soni, *Amicus Curiae*, present.

Mrs. Neha Bhide, *GP with Mr. O.A. Chandurkar, Addl. GP, Mrs. G.R. Raghuwanshi, AGP for Respondent -State.*

CORAM: ALOK ARADHE, C.J. &

SANDEEP V. MARNE, J.

Dated: 16 JULY 2025.

P.C.:

1) This Petition is filed in public interest seeking following relief:-

- a) The Petitioner prays that rule may be issued.
- b) The Petitioner prays that this Hon'ble Court be pleased to issue directions directing Respondent No.1 report above the present status of seek/allying sugar mills within four weeks from today alongwith proposed action by Government.
- c) The Petitioner prays that the direction may be issued to Respondent No.1 not to increase wages of any employees more particularly in sugar

factories, which are finding it difficult to pay even existing wages.

- d) That this Hon'ble Court be pleased to issue a writ of Mandamus or any other writ, order or direction directing the Respondent Nos.1 and 2 to initiate legal action against defaulting sugar mills and under various provisions of Law and also to give directions to statutory Auditors to submit their reports to concerned authorities and to also give directions to Government of Maharashtra to implement the audit objections.
- e) Directions may be given to Government to constitute authority with all powers so as to prepare comprehensive rehabilitation package for the revival of sugar factories. The directions may also be given the Authority to take such precautions while allowing a package to protect the interest of society and thereby prevent corruption. The direction may be on the basis of package prepared by NABARD for rehabilitation of sugar mills.
- f) Directions may be given to Government of Maharashtra to act on Audits Reports as required under the Maharashtra Co-operative Societies Act.
- g) Directions may be also be given under the Maharashtra Co-operative Societies Act, 1960 to the Registrar of Co-operative societies as well as Government of Maharashtra to initiate action against the Co-operative Sugar Societies as required under the Maharashtra Co-operative Societies Act, 1960.
- h) That direction be given to the Government of Maharashtra to simplify the contractual system of management of sugar mills. The Government of Maharashtra should allow on its own to give sugar mills on contractual basis instead of leaving it to the Management to move resolution.
- i) Give directions to the Government of Maharashtra to initiate legal actions under the

Indian Penal Code and or any other relevant laws against defaulting Cooperative sugar factories. The directions may also please be given to recover the dues of Banks and workers from the promoters and their assets.

- j) That such other orders should be passed int his Hon'ble Court may deem fit in the facts and circumstances of the case.

2) We have heard the learned counsel appearing for the parties. The State Government has issued Government Resolution dated 11 June 2009 (**GR**). By the aforesaid GR the State Government has appointed Task Force for the welfare of cane growers and Co-operative Sugar Industries. The role of the Task Force has also been mentioned in the GR. The GR also seeks to enhance member's share capital, face value of share from Rs.5,000 to 10,000/-. and to increase self fund by deducting cane price of the member so that Karkhana will maintain positive net worth and borrowing capacity. The GR has been issued with a measure to develop revolving fund from the resources of the factory to bring to an end dependence on the Banks, Financial Institutions to raise fund for pre seasonal expenditure and repair and maintenance of the factory. The revolving fund is directed to be utilised in due course and has to be maintained permanently.

3) In view of the aforesaid GR, it is evident that the issue involved in the PIL Petition has been rendered academic.

However, liberty is reserved to the Petitioner to move appropriate proceedings in case his grievance still persists.

4) With the aforesaid liberty, PIL Petition is **disposed** of.

5) All pending applications stand disposed of.

[SANDEEP V. MARNE, J.]

[CHIEF JUSTICE]