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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 15417/2024 and CM APPL. 64618/2024, CM APPL. 4036/2025

MAHYCO PRIVATE LIMITED

.....Petitioner

Through: Mr. Prashant Pakhiddey, Mr. Manav,
Ms. Saksha Jha, Advocates.

versus

**NATIONAL COMMISSION FOR SCHEDULED
TRIBES & ANR.**

.....Respondents

Through: Mr. Raghvendra Upadhyay, Ms.
Purnima Jain and Mr. Swaraj Maurya,
Advocates for R-1.
Ms. Kusuma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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27.01.2026

1. The petition is for quashing of notices dated 28.08.2024 and 28.10.2024 issued by respondent no. 1, whereby it has decided to investigate the complaint filed by respondent no. 2 against the petitioner and has directed the petitioner's Managing Director to appear in person for examination.

2. The impugned notices arise out of an investigation into a complaint filed by respondent no. 2 alleging that the petitioner had caused financial hardship to him. As per respondent no 2, the petitioner had engaged him as an 'Organiser' for seed production and in pursuance of his work, he



motivated farmers, most of whom belonged to the Scheduled Tribes, to plant the petitioner's seeds. Subsequently, the farmers allegedly did not get proper yield and suffered heavy financial losses. Further, in the complaint, the farmers are stated to have pressurised respondent no. 2 to compensate them for the losses and he was forced to sell his properties.

3. The petitioner, in its reply to the aforesaid complaint, raised objections in respect of respondent no. 1's jurisdiction to entertain the complaint on the ground that the complaint was in respect of a purely commercial dispute and did not involve violation of any right of respondent no. 2 by virtue of his being a member of a Scheduled Tribe. Further, it was also pointed out that the dispute underlying the said complaint was pending adjudication before the High Court of Telangana.

4. *Prima facie*, a perusal of the complaint indicates that the nature of respondent no. 2's grievance seems to be commercial- according to him, because of the sub-standard seeds provided by the petitioner, he has been forced to pay compensation to farmers, causing financial hardships to his family. The petitioner's grievance is that respondent no. 1 has not dealt with the aspect of whether it has jurisdiction to entertain the complaint at a preliminary stage and has proceeded to direct the attendance of the petitioner's Managing Director for investigation into the complaint.

5. Respondent no. 1's power to inquire into specific complaints can be traced to Article 338A(5)(b) of the Constitution of India. The provision empowers respondent no. 1 to inquire into complaints with respect to 'the deprivation of rights and safeguards of the Scheduled Tribes'. Therefore, it would be beyond the jurisdiction of respondent no. 1 to inquire into complaints which do not fall in the aforesaid category.



6. Having considered the aforesaid background of litigation and in view of the scope of the power conferred on respondent no. 1 under Article 338A(5)(b) of the Constitution of India, the Court finds that the instant petition can be disposed of with the following directions:

- i. Let respondent no. 1 to consider the preliminary objection submitted by the petitioner and to pass an appropriate order.
 - ii. Let the petitioner be granted liberty to appear through a duly authorized representative.
 - iii. The personal appearance of the Managing Director shall be dispensed with unless the same, for the reasons to be recorded, is absolutely necessary.
7. All rights and contentions of the parties are left open. Accordingly, the petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 27, 2026/P/AMG