



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3039 of 2025

Hari Om

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Kumar Misra
Counsel for Respondent(s)	:	C.S.C., Ved Byas Mishra

Court No. - 5

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. Heard S/Sri Dinesh Kumar Misra, K.K. Maurya, S.M. Kushwaha, J.K. Singh and S.S. Srivastava, learned advocates for petitioners and Sri P.K. Shahi and Sri Ved Byas Mishra, learned counsel for respondents.

2. This Court has passed following order on 22.05.2025 :-

“The petitioners in the instant case and other companion writ petitions claim that they are employees of U.P. State Agro Industrial Corporation Limited, Lucknow. The common grievance of the petitioners is that their retiral dues in different categories have not been paid till date. The officiating Managing Director, U.P. State Agro Industrial Corporation Limited is present in Court. Personal affidavit has been filed which is taken in the record.

Sri Ved Byas Mishra, learned counsel for the respondents no. 3 to 6 submits that the respondent Corporation is facing a financial crisis. The Corporation is not in a position to meet its liability of paying the dues of its employees on account of the aforesaid financial crisis. Various proposals have been submitted to the State Government to rationalise the functioning and overcome the respondent Corporation from the financial crises.

Attention is called to the three proposals sent by letters dated 23.10.2024, 02.05.2025 and 09.05.2025. The first proposal relates to absorption of the U.P. Agro in the U.P. Krishi Utpadan Mandi Parishad. The second proposal contemplates expediting proceedings for repayment of the dues to the extent of forty crores by the Food Corporation of India to the respondent Corporation. The third proposal is for grant of soft loan to the respondent Corporation by the State Government. The assets of the Corporation against which the said soft loan can be secured are also described in the aforesaid communications.

The State Government have yet to take decision on the aforesaid proposals. The matter is of pressing urgency.

In the wake of preceding discussion the respondents no. 1 and 2 are directed by way of an interim mandamus to process proposals sent by the Managing Director, U.P. State Agro Industrial Corporation Limited as per law.

It is clarified that the Court has not entered into merits of the aforesaid proposals. It is the prerogative of the State Government to examine the same on their merits and as per law. However the said exercise cannot be postponed indefinitely by the State Government.

Personal appearance of Managing Director, U.P. State Agro Industrial Corporation Limited is exempted.

Sri Subhranshu Shekhar, learned Additional Chief Standing Counsel to file an affidavit on behalf of respondents no. 1 and 2.

Put up on 26.08.2025 in the list of fresh cases.”

3. Learned Standing Counsel submits that personal affidavit of respondents – 1 and 2 are ready and it will be filed in Registry during course of day, however, its copy are placed on record and he refers paragraph 4 to 10 of personal affidavit of respondent-1 which are quoted below :-

“4. That U.P. State Agro Industrial Corporation Limited is an autonomous body. and it has to make arrangements on its own however the State Government is paying the dues of U.P. State Agro Industrial Corporation Limited, for the work related to government, on priority basis to generate adequate funds for payment of dues of its employees.

5. That, under special circumstances, the State Government had employed 85 regular employees of U.P. State Agro Industrial Corporation Ltd., on a deputation in the Department of Agriculture through body shopping so that they may get their salary regularly.

6 That, it is relevant to submit here that the Managing Director, U.P. State Agro Industrial Corporation Ltd. Lucknow vide its letter dated 09-05-2025, submitted a proposal to provide an interest-free amount of Rs. 75 crores and in view of the same, a meeting was held on 18-06-2025 under the Chairmanship of Hon'ble Agriculture Minister, Government of Uttar Pradesh and the Minutes of the said meeting were prepared on 10-07-2025, whereby the Managing Director, U.P. State Agro Industrial Corporation Ltd. was directed to complete their pending balance sheet it is relevant to state here that without completing the balance sheet, information pertaining to pending liabilities of U.P. State Agro Industrial Corporation Ltd. cannot be ascertained.

Copy of Minutes of Meeting held on 18.06.2025 held under the Chairmanship of Hon'ble Minister, Agriculture Department, Government of Uttar Pradesh is being annexed herewith and is marked as Annexure No.PA-1 to this affidavit.

7. That the Managing Director, U.P. State Agro Industrial Corporation Limited, vide letter dated 23-10-2024, submitted a proposal for merger of U.P. State Agro Industrial Corporation Limited, in U.P. Rajya Krishi Utpadan Mandi Parishad. Since both the institutions are completely difference in nature, therefore, after considering the proposal, by the competent authority, rejected the aforesaid proposal, of merger of U.P. State Agro Industrial Corporation in U.P. Rajya Krishi Utpadan Mandi Parishad Copy of letter dated 16-07-2025 issued by the Krishi Anubhag-2, Government of U.P. Lucknow is being annexed herewith and is marked as Annexure No.PA-2 to this affidavit.

8. That it is relevant to submit here that regarding the letter dated 02-05-2025 of the Managing Director, U.P. State Agro Industrial Corporation Limited, it is most respectfully submitted that the Managing Director, U.P. State Agro Industrial Corporation Limited has requested the General Manager, Food Corporation of India to make available the pending amount at his level and a copy of which was sent to the State Government for taking cognizance of the same. It is further submitted that in pursuance of the aforesaid letter dated 02-05-2025, the deponent/Principal Secretary, Agriculture, Government of U.P. Lucknow, vide letter dated 14-08-2025 requested the General Manager, Food Corporation of India, Lucknow to take action on the said letter of the Managing Director, U.P. State Agro Industrial Corporation Ltd. Copy of letter dated 14-08-2025 of the deponent/Principal Secretary, Agriculture, Government of U.P. Lucknow is being annexed herewith and is marked as Annexure No.PA-3 to this affidavit.

9. That it is respectfully submitted that, vide letter dated 08-04-2025 issued by the Special Secretary, Krishi Anubhag-2, Government of U.P., Lucknow, the Managing Director, U.P. State Agro Industrial Corporation Ltd. was directed to complete the pending balance sheet of U.P. State Agro Industrial Corporation Ltd. Copy of letter dated 08-04-2025 issued by the Special Secretary, Krishi Anubhag-2, Government of U.P., Lucknow is being annexed herewith and is marked as Annexure No.PA-4 to this affidavit.

10. That it is further most respectfully submitted that, the pending balance sheet of U.P. State Agro Industrial Corporation Limited was also reviewed by the deponent on 30-07-2025 at head quarter of U.P. State Agro Industrial Corporation Limited, and the Managing Director, U.P. State Agro Industrial Corporation Limited was directed to complete the pending balance sheet, at the earliest as soon as possible, on which the Managing Director, U.P. State Agro Industrial Corporation Limited had assured to complete the pending balance sheet at the earliest. In this regard, the Minutes of the Meeting held on 18-08-2025 was issued, copy of which is being annexed herewith and is marked as Annexure No.PA-5 to this affidavit."

4. Learned counsel for respondent-Corporation submits that balance-sheet of 2024-25 will be submitted within 4 weeks and he further prays that in case State grants liberty to sell the land which is under ownership of Corporation, probably arrears of petitioners could be paid.

5. Learned Standing Counsel submits that so far as sell of land is concerned, as soon as balance sheet is submitted, the appropriate Authority will take a decision and will communicate the same to respondent-Corporation.

6. In aforesaid circumstances, let this matter come up after 3 months along with connected cases at 12.00 PM.

7. Parties are at liberty to mention.

8. Meanwhile, State after receiving balance sheet will at least release 1-10th of total liability so that financial relief could be given to petitioners as well as other similarly situated employees.

9. Meanwhile, State and Corporation will file compliance affidavit.

(Saurabh Shyam Shamshery,J.)

August 26, 2025

N. Sinha