



O R D E R

1. Leave granted.
2. The appellant is aggrieved by the following conditions made in the impugned judgment of the High Court:

" 1. The appellant-sugar cane factory shall issue order for cutting sugar cane crop within 24 hours from the date of receiving information about the sugar cane crop being ready for harvesting.

2. The writ petitioners shall cut the sugar cane crop and transport the same to the factory of the appellant within 48 hours and the said sugar cane shall be purchased by the appellant.

3. The appellant-sugar factory shall purchase the sugar cane crop and load the sugar cane crop within 24 hours from the date the sugar cane reaches the gate of the appellant - sugar factory.

4. The appellant shall make payment of the price of the sugar cane within 14 days from the date of supply of the sugar cane.

5. If there is violation of any of the condition No. 1 to 4 referred to above, it is open to the writ petitioners to supply the sugar cane to the 4th

: 2 :

respondent in the writ petition (respondent No. 3 in this appeal - M/s Ambica Sugars Ltd. Lessee of M/s. Sriram Sahakara Sakkare Karkane Ltd., Chunchankatte, K.R. Nagar, Mysore)."

6. We have considered the conditions and heard the learned counsel for the parties extensively on the question of relevance of these conditions.

7. We do not find anything wrong with condition Nos. 1 to 4 which, in our view, are in consonance with the statement made before the High Court by the learned counsel for the appellant. They are farmer friendly conditions, hence, we will not interfere. However, insofar as condition No. 5 is concerned, in our view, that is not in keeping with the spirit of the Sugarcane (Control) Order. That condition goes slightly contrary to same. Condition No. 5 is, therefore, deleted.

However, it is clarified that if any of the parties is aggrieved on account of breach of any of the aforesaid conditions 1-4 it/they shall be at liberty to approach the appropriate authority under the Sugarcane (Control) Order.

8. With these observations, the appeal stands disposed of

.....J.

[ V.S. SIRPURKAR ]

.....J.

[ CYRIAC JOSEPH ]

NEW DELHI

OCTOBER 18, 2010.