

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONMT. PET.(C) NO.167-168/1998 IN
C.A.NO.3512-13/1997

SAHKARI GANNA VIKAS SAMITI & ORS

Petitioner(s)

VERSUS

K.K. BAJARIA & ORS

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to file translated copies of documents and office report)
WITH CONMT.PET.(C) NO. 176-177 of 1998 in
C.A.NO.3512-3513/1997

Date: 04/11/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. Pradeep Misra,Adv.(N.P.)

Petitioner-In-Person

For Respondent(s) Ms. Meenakshi Arora,Adv.(N.P.)

Mr. Ravi Prakash Mehrotra ,Adv
Mr. Vijay Pratap Singh, Adv.

Mr. J.K. Sethi, Adv.
Mr. Sabyashachi P., Adv.
For M/s. Khaitan & Co., Advs.

UPON hearing counsel the Court made the following
O R D E R

Heard petitioner and learned counsel for the respondents.
The petitions are disposed of in terms of the signed order.

(R.K. Dhawan)
Court Master

(Veera Verma)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (C) NOS.167-168 OF 1998

IN

CIVIL APPEAL NOS.3512-3513 OF 1997

Sahkari Ganna Vikas Samiti & Ors.

... Appellants

VERSUS

K.K. Bajaria & Ors.

... Respondents

WITH

Contempt Petition (C)NOS.176-177/1998IN CA NOS.3512-3513/1997

O R D E R

Heard petitioner and learned counsel for the respondents.

2. The petitioners contend that the respondents (sugar mills) committed contempt of the orders of this Court by failing to pay interest at the rate of 15% per annum from

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31.8.1997 in regard to payment of the balance sugarcane price for the years 1995-96 and 1996-97.

3. Learned counsel for the sugar mills on the other hand contended that the mills are liable to pay interest only at the rate of 12% and that they have already paid to the sugarcane growers amounts in excess of what was due to them and the Mill owners are entitled to get refund of the same.

4. We have gone through the orders of this Court dated 1.5.1997 and 1.8.1997. The said orders do not contain any specific direction to pay interest at 15% per annum. The orders merely directed the District Collector to assess what was the quantum of sugar stocks that was sufficient to meet the payment of price of sugarcane together with interest to the sugarcane growers towards sugarcane supplied to the Mills and on such assessment, permit the sugar mills to sell such sugar stocks to meet the said liability. The rate of interest payable by the sugar mills to the sugarcane growers was not the subject matter of the

proceedings nor was any order made thereon. Hence, there is
no question of contempt. The petitions are disposed of
reserving liberty to the sugarcane growers to take such

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action or initiate such proceedings as may be permissible in
law if they have any outstanding claim.

.....CJI.
(K.G. BALAKRISHNAN)

.....J.
(R.V. RAVEENDRAN)

.....J.
(P. SATHASIVAM)

NEW DELHI;
NOVEMBER 04, 2009.