

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).2 2 4 8 / 2 0 0 8

(From the judgement and order dated 1 9/ 1 2 / 2 0 0 7 in CM W P No. 33 2 8 8 / 2 0 0 7 of T he

HIGH COUR T OF JUD ICA TU R E AT AL L A H A B A D)

KI S A N MAZDOO R SANGA T H A N

Petitioner(s)

VE R S U S

BAS T I SUGAR MI L L S CO LTD. & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WI T H SL P(C) NO. 22 5 1 of 20 0 8

(With prayer for interim relief and office report)

SL P(C) NO. 22 5 2 of 20 0 8

(With appln. for permission to file SL P)

SL P(C) NO. 37 2- 3 8 1 of 2 0 0 8

(With appln. for intervention and permission to file counter affidavit and bringing on record additional documents and exem. from filing O.T. and c/delay in filing process fee and with prayer for interim relief and office report)

Date: 27 / 0 2 / 2 0 0 8 This Petition was called on for hearing today.

CORAM :

HON' B L E Dr. JUS T I C E ARI J I T PAS A Y A T

HON' B L E MR. JUS T I C E P. SATHA S I V A M

For Petitioner(s)

Petitioner- In- Person

M/S. Ap & J Chambers, Adv.

Ms. Alka Sharm a, Adv.

Mr. Brijender, Adv.

Mr. P. P a r m e s w a r a n, Adv.

Mr. R. K. D a s s, Sr. Adv.

Mr. Viplav Sharm a, Adv.

Mr. Gunna m Venkateswa r a Rao, Adv.

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For Respondent(s)

Mr. K. K. Venugopal, Sr. Adv.

Mr. S.H.Rizvi, Adv.

Mr. Sajeev Kum a r, Adv.

Mr. Uday Kuma r, Adv.

Mr. Gaurav Bhatia, Adv.

Mrs Manik Ka ra nj a w al a, Adv.

Ms. Hina Rizvi, Adv.

Mr. F.S.Na ri m a n, Sr. Adv.

Ms. Indu Malhotra, Sr. Adv.

Ms. Shashi M.K apila, Adv.

Ms. Sunita Ojha, Adv.

Ms. Meenaks hi Grover, Adv.

Mr. Ankur Chawla, Adv.

Mr. Jaya nt Mahan, Adv.
Mr. Rahul Pratap, Adv.
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Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Gaurav Bhatia, Adv.
Mr. Sanjeev K. Singh, Adv.
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Mr. Jitendra Mohan Shar m a, Adv.
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Mr. Jaya nt Bhus ha n, Sr. Adv.
Mr. Ashutosh Khaita n, Adv.
Mr. Ashu Ka ns al, Adv.
Mr. Ka nis h k V. Shahi, Adv.
Mr. Umesh Kum a r Khaita n, Adv.

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Mr. Vivek Chaudha ry, Adv.
Mr. G. Mahipal, Adv.

Mr. Rajiv Dutta, Sr. Adv.
Mr. K. R. S a s ip ra bhu, Adv.
Ms. Bindu K. Nair, Adv.
Mr. Manoj, Adv.
Mr. Uday Kuma r, Adv.
Mr. Sanjeev K. Singh, Adv.

Mr. Gaurav Bhatia, Adv.
Mr. Ajay Kr. Srivastava, Adv.
Mr. S.H.R azvi, Adv.

Mr. K. K. Venugopal, Sr. Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Sanjeev K. Singh, Adv.
Ms. Hina Rizvi, Adv.

Mr. Pra mod Swarup, Adv.
Ms. Preena Swarup, Adv.
Mr. Harendra Singh, Adv.

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

Heard.

These special leave petitions shall be heard along with C.A. No.

75 0 8 / 2 0 0 5 and C.A. No. 15 0 / 2 0 0 7 .

As an interim arrangement for the cane year 20 0 6 - 2 0 0 7 , let payments be made by the sugar mills at the following rates:

For the Declined unsuitable variety Rs. 11 5 /- per quintal

For the General variety Rs. 11 8 /- per quintal

For the Early variety Rs. 1 2 3 /- per quintal.

If any payment has been made towards the State Advised Price, the same shall be adjusted from the amounts payable on the basis of the rates indicated above.

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If any payment has been made beyond the rate fixed above there shall not be for the present any refund. The payment shall be made within a period of six weeks from today. The factories which have been closed for alleged non- payment shall be opened subject to filing of undertaking that the amount as directed shall be paid within the stipulated time. The same shall be deposited with the State Cane Commissioner who will in turn shall ensure that all the eligible persons are paid amount pro-rata on the basis of rate fixed by this interim order. The necessary steps in that regard shall be taken within a week from the date of deposit. It is made clear that there shall not be any recovery charges or interest for delayed payment at this stage.

All the civil appeals and S L P s shall be listed in the second week of April, 20 0 8 .

The earlier order is modified to the aforesaid extent.

(Shashi Sareen)
Court Master

(Vijay Aggarwal)
Court Master