



2026:AHC-LKO:40937-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 4279 of 2026

Amrendra Kumar Varma And 30 Others

.....Petitioner(s)

Versus

State Of U.P. Thru. Cane Commissioner U.P.
Shashan Lko. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Pawan Kumar Maurya, Arvind Kumar Maurya
Counsel for Respondent(s)	: C.S.C., Paavan Awasthi, Syed Mohammad Haider Rizvi

Court No. - 2

**HON'BLE RAJNISH KUMAR, J.
HON'BLE RAJEEV BHARTI, J.**

1. Heard Shri Arvind Kumar Maurya, learned counsel for the petitioners, learned Additional C.S.C., Ms. Sunanda Krishna, Advocate holding brief of Shri Paavan Awasthi, learned counsel for the respondent no. 6 and Shri Mohd. Hasan, Advocate holding brief of Shri Syed Mohammad Haider Rizvi, learned counsel for the respondent nos. 4 and 5.

2. There is consensus among learned counsel for the parties that some payments have been made after filing of the writ petition and accordingly, about 60% payment has been made to the petitioners and the case in hand is covered by the order dated 01.05.2026 passed by the Coordinate Bench of this Court in a bunch of writ petitions leading being Writ-C No. 4341 of 2026 (Gurdev Singh and 7 others vs. State of U.P. and 5 others), which, on reproduction, reads as under:-

"1. Supplementary short counter affidavit filed today by respondent No.6 and rejoinder affidavit to the same filed by the petitioner are taken on record.

2. Heard Shri Aman Kumar Shrivastav, Shri Ankit Shukla as well as Shri Divyanshu Tripathi, learned counsel appearing on behalf of the petitioners, Shri S.C. Misra, learned Senior Advocate assisted by Shri Sunil Kumar Chaudhary, Shri Paavan Awasthi as well as Shri Sanjeev Kumar Singh, learned counsel appearing on behalf of respondent No.6- Bajaj Hindustan Sugar Mills Ltd., Ms. Deepshikha, learned Chief Standing Counsel as well as Shri Pankaj Khare, learned Additional Chief Standing Counsel appearing on behalf of the State-respondents and Shri S.M. Haider Rizvi, learned counsel appearing on

behalf of the respondent No.5.

3. The present writ petitions are being taken up together as the same relate to identical issues with regard to the payments to the sugarcane growers, who are supplying sugarcane to respondent No.6- Bajaj Hindustan Sugar Mills Ltd.

4. In the past, various orders have been passed by this Court, wherein directions have been issued to respondent No.6 to make payments to the sugarcane growers within a stipulated period of time. We are informed that similar matters were also listed relating to payment of sugarcane dues by Bajaj Hindustan Sugar Mills Ltd. before a co-ordinate Bench of this Court and the said Bench passed a conjoint order with regard to a bunch of petitions on April 28, 2026.

5. Shri S.C. Misra, learned Senior Counsel appearing on behalf of the Bajaj Hindustan Sugar Mills Ltd. has submitted that the co-ordinate Bench after considering the judgement passed in M/B No.11355 of 2021 (Shailendra Kumar and another Vs. State of U.P. and others) has passed an order that has been placed before this Court by way of the supplementary short counter affidavit. He submitted that the judgement in Shailendra Singh (supra) has been followed by the co-ordinate Bench in its order dated April 28, 2026.

6. We have perused the said order and are at consensus ad idem with the said order passed on April 28, 2026 that may form part of the order passed in Court today and deem to have been included in the present order by necessary implications. The relevant paragraphs of the said order are being extracted as herein-below:-

"9. Considering the aforesaid aspect of the matter we have been informed that an escrow account has already been opened where 85% of sale of sugar is deposited and the respondent no. 6 is ensuring compliance of the said judgment and as and when the amount is credited to the escrow account then on the basis of first supply first payment the amount get disbursed to sugarcane growers.

10. It has also been informed that with regard to the petitioners, 50% of the amount have already been paid till 27.4.2026 and learned counsel for the respondent no. 6 ensures that the remaining amount shall also be paid with expedition in accordance with the principles enshrined by this Court in the case of Shailendra Kumar (supra).

11. Considering the aforesaid aspect and especially the fact that 50% of the amount has already been disbursed in favour of the petitioners and remaining amount shall also be disbursed as per the directions of this Court no further directions are required to be passed. It is made clear that the Cane Commissioner shall ensure that the judgment of Division Bench of this Court in the case of Shailendra Kumar (supra) is scrupulously complied with by the respondent no. 6 and as soon as money is credited in the escrow account the same is disbursed forthwith on the principles of first supply first payment to the cane growers.

12. We further take note of the fact that in case in individual cases interference is made by this Court and directions are issued for making payment to particular cane growers it may violate the condition of first

supply first payments and accordingly to ensure equitable distribution of the cane dues the onus lies upon the respondent no. 6 i.e. the sugar mill to scrupulously adopt the principles enshrined by this Court."

7. Although, no directions were required to be made by this Court in view of the detailed directions of a co-ordinate Bench of this Court and apparently these petitions also appear to be prejudicial to the rights of other sugarcane growers, who have not approached this Court and are eagerly waiting for their turn in a queue for their respective payments as per the scheme imbibed in Shailendra Kumar (supra) case. However, one may also look into the aspect that has been alleged by learned counsel appearing on behalf of the petitioners that the payments had to be received in escrow account are not being received in time and several complaints had been filed by them for the payments of the previous year, i.e., 2024-25. This Court finds that no complaint of similar nature had been filed for the present crushing year and even the learned counsel appearing on behalf of the petitioners has also fairly submitted that for the current financial year, no such complaint, FIR etc has been filed for the present year. Therefore, no directions are required from this Court in that regard.

8. As far as the learned counsel appearing on behalf of the State is concerned, Shri Pankaj Khare has brought on record a letter dated April 20, 2026 that has been issued on behalf of the Cane Commissioner, U.P. seeking an explanation with regard to the pending payments from the Bajaj Hindustan Sugar Mills Ltd. Learned Senior Counsel appearing on behalf of the Bajaj Hindustan Sugar Mills Ltd. has submitted that a reply to the said letter has already been filed by the Company with the Cane Commissioner, U.P. and they are diligently following up the said matter with the Authority.

9. Keeping in mind the above factual matrix, we are of the view that the payments should be made strictly as indicated above in preceding paragraphs as well as the directions in the order dated April 28, 2026 passed by a co-ordinate Bench of this Court in similar matters.

10. Furthermore, we direct the Cane Commissioner to ensure that upon sale of sugar, 85% is immediately deposited with the escrow account, and thereafter, the same is disbursed to the sugarcane farmers on the principles of 'first supply, first payment' basis as held by this Court in Shailendra Kumar (supra). In the event, there is any delay in crediting of the escrow account with the amount of sale of sugar, the Cane Commissioner should take steps in accordance with law to ensure that payments to the sugarcane farmers are not delayed.

11. We make it clear that in the event the above directions givens are not followed, the petitioners shall be at liberty to approach the appropriate authority/court for redressal of their grievances, in accordance with law.

12. Accordingly, with the aforesaid directions, the writ petitions are disposed of."

3. In view of above and consensus among learned counsels for the parties, this petition is **disposed of in terms of the aforesaid order dated 01.05.2026.**

4. The petitioners shall also be entitled for the benefit of the said order on same terms.

(Rajeev Bharti,J.) (Rajnish Kumar,J.)

June 12, 2026
Shravan