2026:AHC:185448-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 26307 of 2026

Yadu Sugar Limited

.....Petitioner(s)

Versus

State of UP and another

.....Respondent(s)

Counsel for Petitioner(s)	:	Anshuman Singh, Diptiman Singh
Counsel for Respondent(s)	:	C.S.C., Jahnavi Singh, Ravindra Singh

Reserved
AFR

Court No. - 2

HON'BLE J.J. MUNIR, J.
HON'BLE SIDDHARTH NANDAN, J.

(Per: Siddharth Nandan,J.)

1. Heard Mr. Diptiman Singh, learned counsel for the petitioner, Mr. Manish Goyal, learned Additional Advocate General, assisted by Mr. A.K. Goyal, learned Additional Chief Standing Counsel on behalf of respondent nos. 1 and 2 and Mr. Ravindra Singh, learned counsel for the respondent no.3.

2. The present writ petition has been instituted for the issue of a writ of mandamus directing respondent no.2, the Cane Commissioner, to allot sugarcane for the crushing season 2026-27, as per the installed crushing capacity of the petitioner; and in ratio of the increased proportion from the estimate which has been mentioned in the Office Memorandum/Order dated 14.10.2025.

Facts of the case

3. The petitioner, is registered under the Companies Act, 1956; (now Companies Act, 2013) and engaged in the manufacture of crystal sugar through the vacuum pan process. Its unit is located at Sujanpur-Bisauli, District Badaun. The installed crushing capacity of the Sugar Mill is 7000 tons crushing per day (TCD) and the essential raw material for manufacturing sugar is sugarcane.

4. The supply and purchase of sugarcane to Mills, are governed by U.P. Sugarcane (Regulation of Supply and Purchase) Act, 1953 and U.P. Sugarcane (Regulation of Supply and Purchase) Rules, 1954 (hereinafter referred as Act, 1953 and Rules, 1954 respectively).

5. The petitioner has submitted his reservation proposal before the Cane Commissioner and requested that sufficient sugarcane, as per the Office Memorandum / Order dated 14.10.2025, may be allotted to the petitioner's unit. But, in the past he was never allotted sufficient sugarcane.

6. The Office Memorandum dated 15.10.2020, which has been issued under Section 12(2) of the Act, 1953 indicates the name of the petitioner at Serial No. 71 and for the 5 years commencing 2020-2025, the estimated cane requirement for crushing seasons has been determined as 100.80 lakh quintals (LQ). Similarly, vide the Memorandum dated 14.10.2025 issued under Section 12(2) of the Act, 1953, the estimated requirement has been indicated at Serial No. 75, again to be 100.80 LQ, for the 5 years commencing 2025-2030.

7. It is an admitted fact that the petitioner has not been provided the estimated cane requirement as determined under Section 12(2) of the Act, 1953. For ready reference, the admitted chart demonstrating the status relating to the petitioner's sugar Mill qua sugarcane allotment, purchase, cane price payable, actual payments made by it and other relevant particulars for the last ten crushing seasons, are being reproduced below:-

S.N.	Crushing Season	Estimated Cane requirement (Lakh Q.)	Cane Allotment (Lakh Q.)	Cane Purchased (Lakh Q.)	Purchase (%)	Cane Price Payable (Rs. Lakh)	Payment Made (Rs. Lakh)	Mill Start Date	Mill Closure Date	Date of Full Payment	Delayed payment period After Mill Closure date
1	2	3	4	5	6	7	8	9	10	11	12
1	2016-17	100.80	73.37	36.95	50.37	9262.86	9262.86	21.11.16	25.03.17	28.12.17	9 months
2	2017-18	100.80	93.61	70.41	75.22	21900.29	21900.29	17.11.17	21.04.18	15.07.19	1 Year 3 Months
3	2018-19	100.80	129.04	37.49	29.06	11874.64	11874.64	30.11.18	31.03.19	31.07.20	1 Year 4 Months
4	2019-20	100.80	57.82	22.68	39.23	7297.32	7297.32	21.11.19	03.04.20	23.04.21	1 Year 20 Days
5	2020-21	100.80	22.01	18.46	85.78	5975.46	5975.46	08.11.20	20.03.21	25.10.21	7 Months
6	2021-22	100.80	63.86	37.59	58.86	12968.57	12968.57	10.11.21	30.03.22	17.12.22	8 Months
7	2022-23	100.80	63.60	38.81	61.02	13381.55	13381.55	04.11.22	26.03.23	05.01.24	9 Months
8	2023-24	100.80	91.21	27.91	30.60	10177.68	10177.68	10.11.23	11.03.24	02.12.25	1 Year 8 Months
9	2024-25	100.80	73.26	26.15	35.68	9518.89	9518.89	11.11.24	23.02.25	17.03.26	1 Year 1 Month
10	2025-26	100.80	50.31	9.17	17.88	3607.44	2330.64	21.11.25	26.01.26	pending	-

8. The following figures pertaining to 8 sugar Mills in the area, as admitted to the parties, is also reproduced below:-

S. No.	Sugar Mill Name	Estimated Cane Requirement for Crushing Season 2025-26 (Lakh Q.)	Alloted Cane Area (Hectares)	Cane Alloted vis-a-vis Requirement (Lakh Q.)	Alloted cane (%)	Cane Crushed (Lakh Q.)	Drawl (%)	Payment Status as on Reservation Order dated 18.10.2025 (Crushing Season 2024-25) (%)
1	2	3	4	5	6	7	8	9
1	Majhawali	41.40	9430	79.04	190.92	28.71	36.32	95.52
2	Rajpura	147.73	31831	276.06	186.87	96.55	34.97	100
3	Sabitgarh	150.54	32580	243.26	161.59	120.66	49.60	100
4	Roopapur	109.47	21351	170.54	155.79	55.01	32.26	100
5	Badaun	20.77	3370	26.66	128.36	10.47	39.27	100
6	Kayamganj	21.69	3708	27.27	125.73	7.96	29.19	100
7	Karimganj	104.40	14053	113.35	108.57	41.31	36.44	91.73
8	Bisauli	100.80	6483	51.30	50.89	9.17	17.88	71.95

Petitioner's case

9. Sri Diptiman Singh, Advocate appearing for the petitioner, while placing reliance on the Office Memorandums dated 15.10.2020 and 14.10.2025, vehemently argued that the reservation order / sugar allotment memoranda, which were issued purportedly in accordance with the provisions contained in Section 15 of the Act, 1953 read with Rule 22 of the Rules, 1954, clearly envisage the crushing capacity of the petitioner's Mill, to be calculated taking into account the number of

days, which is 180 days, (when the Mills are functioning in the season) and the said determination clearly indicates that there was no decline in the crushing capacity of the petitioner's Mill. The estimated cane requirement for crushing, for the seasons commencing 2021-2031, remained a figure of 100.80 LQ. But, on account of non-allocation of sufficient quantity of sugarcane, the drawl percentage of the petitioner's Mill remained low, resulting in a situation wherein the petitioner was pushed to a limit that it had to shut down operations with compounding of losses, in the last four to five years.

10. It is also the petitioner's case that there is pilferage during transit and other reputed reasons and on account of the said conditions, the Sugarcane Commissioner had himself issued a policy dated 02.09.2025, wherein he has expressed that a minimum 60% drawl should be maintained by the sugar Mills. As such, he acknowledges the fact that there is 40% pilferage. For ready reference, the relevant extract of the policy dated 02.09.2025 is reproduced below:-

> *"1- चीनी मिलों के लिए गन्ने की आवश्यकता :-*
>
> *गन्ने की आवश्यकता का निर्धारण उत्तर प्रदेश गन्ना (पूर्ति तथा खरीद विनियमन) अधिनियम, 1953 की धारा-12 के अन्तर्गत अलग से किया जायेगा। प्रदेश की सभी चीनी मिलों से अपेक्षा की जाती है कि वे आवंटित क्षेत्र की भौगोलिक स्थिति, गन्ना उपलब्धता एवं चीनी मिल की पेराई क्षमता आदि को ध्यान में रखते हुए, अपने आवंटित क्षेत्र से निर्धारित आवश्यकता की पूर्ति हेतु गत सत्र के सापेक्ष गन्ने के ड्राल को अधिक से अधिक बढ़ायें एवं न्यूनतम 60 प्रतिशत ड्राल प्राप्त करें।"*

11. The Learned Counsel for the petitioner has also placed reliance on the letter of the Commissioner dated 02.09.2017 to indicate that 85% alone of the proceeds is tagged, whereas 15% is left for the defraying of wages, repairs necessitated by operations during the previous season etc.; and in this context, has tried to explain the deficiency, which is reflected in the payment status, against the Petitioner Sugar Mill.

12. In view of the aforesaid, the petitioner has contended that, since there was no reduction in the estimated cane requirement for the last 10 years, the crushing capacity of the petitioner Sugar Mill was not a consideration or a factor, which could justify low cane allocation; and even the payment status is not indicative of the fact that the petitioner's sugar Mill is not capable of functioning to its fullest capacity of 7000 T.C.D.

13. The petitioner's case is based on discrimination, resulting in the thwarting of the functioning of the petitioner Sugar Mill and Sri Diptiman Singh Advocate, vehemently urges before the Court to examine the admitted position and the allocations, which is being made to other Sugar Mills, which demonstrates discrimination vis-a-vis the petitioner Sugar Mill. He submits that out of the 8 sugar Mills, 7 sugar Mills are being allotted more than 100% of their estimated cane requirement for during each crushing season and some of the Mills are even being allotted close to 200% of the estimated cane requirement.

14. In order to buttress his argument, he places reliance on the chart, which has been appended to the counter affidavit filed on behalf of the State, regarding the various sugar Mills. He says, for example, Majhawali has been allocated 190.92% cane, the Rajpura 186.87%, Sabitgarh 161.59%, Roopapur, 155.79%, Badaun 128.36%, Kayamganj, 125.73% and Karimganj 108.57% whereas the petitioner Sugar Mill at Bisauli, has been allocated only 50.89% of the estimated sugarcane.

15. In view of the aforesaid, he submits that on account of the low allocation, the calendar which is prepared for making available sugarcane from the gate area is prepared in such a manner, that there is no continuous supply of sugarcane. As such, while placing reliance on the final manufacturing report for the season 2025-2026 in Form R.T.-8(c) under the Rule 83 of the Central Excise Rules, learned counsel for the petitioner submits that the hours lost due to cane shortage was 786.19 hours whereas the total hours of actual crushing was 784.44 hours, i.e. the hours lost due to cane shortage was more than the total hours of actual crushing. As such, he has impressed upon us that due to the aforesaid reason, it is not economically viable to run the Mills, with shortage of sugarcane, as huge losses are incurred in running the sugar factory, which is attributable to the shortage of supply of sugarcane.

16. He has further submitted that for continuous running or the actual crushing, continuous supply of sugarcane is required every day and, considering that in Eastern U.P., the season lasts for 180 days, 90 LQ of sugarcane is required. In case only 51.30 LQ of sugarcane is allotted, then a simple mathematical calculation would show that the Mill can function only for 102.6 days.

17. In view of the aforesaid, the petitioner seeks strict application of the Office Memorandum / Order dated 14.10.2025 and the grant of equitable relief, for cane allocation of the estimated cane requirement i.e. 100.80 LQ plus 40% extra, considering the pilferage cost during the transport, as acknowledged by the Cane Commissioner himself, in his policy dated 02.09.2025.

Case of the State-Respondents:-

18. It is submitted on behalf of the respondents that the reservation order was issued and the sugar allotment made in accordance with the provisions contained in Section 15 of the Act, 1953 read with Rule 22 of the Rules, 1954. Refuting the allegations of discrimination, Mr. Goyal places reliance on Para 36 of the counter affidavit filed on behalf of the Cane Commissioner i.e. respondent no.2. He submits that the figures are self-explanatory and the fact that the petitioner had failed to make payment of the cane price, within the prescribed time and the procurement of only 9.17 LQ of sugarcane, as against the quantity of sugarcane allotted to it i.e. for the crushing season 2025-2026 being 51.30 LQ of sugarcane is indicative of the fact that the petitioner's Mill is not performing according to its crushing capacity. It has also been pressed that since the Mill could procure only the 9.17 LQ of sugarcane and on account of the reluctance of the cane growers to supply sugarcane, the Mill management was constrained to close the Mill on 26.01.2026. It is also not disputed that the remaining sugarcane was allotted on 03.02.2026, to other nearby sugar Mills.

19. Sri Manish Goyal, learned A.A.G. appearing on behalf of the State, has submitted that the drawl, (which means the amount of sugar cane actually received and crushed) by the petitioner is only 17.88%; which in comparison to the other sugar Mills is very less, a fact evident from the comparative chart which has been mentioned herein above.

20. As far as the reserved areas for the sugar factories are concerned, it is for the sugar Mills to make an endeavour to increase the yield, in the Mill gate area which is situated in a radius of 7.5 K.M. of a particular Mill.

21. Sri Goyal further submits that the allocation, is to be made in accordance with the statute, which is a beneficial and welfare legislation, enacted primarily to regulate the supply and purchase of sugarcane in the

larger public interest, and to protect the economic interest of sugarcane growers. Accordingly, while exercising such statutory powers of reservation and assignment, the Cane Commissioner is required to balance competing public interest, while protecting the farmers, by way of an assurance of timely payment of cane price, failing which the very objective would stand defeated.

22. Sri Goyal, while indicating the performance of the petitioner's sugar Mill since 2016-2026, not only impressed the admitted position that the payments were made with a delay of almost one year for the last ten years but also indicated that the cane purchased by the petitioner was much less than the cane allocated, leave alone the estimated cane requirement as determined under Section 12(2) of the Act, 1953.

23. In order to substantiate his argument, Sri Manish Goyal, learned Additional Advocate General submits that for the crushing season 2025-2026, although 51.30 LQ of sugar cane was reserved and allotted to the petitioner, the petitioner actually purchased only about 9.17 LQ of sugarcane, which is indicative of the fact that the petitioner Mill, did not even utilize, the quantity already reserved. He submits that this clearly demonstrates that the grievance of the petitioner before the Court is only artificial and otherwise there is no prejudice being caused to it. The same is also the stand about the allegation of discrimination, which per se has been denied.

24. He further submits that the comparative payment and the actual purchase of sugarcane against the allotment, are the relevant factors which are considered by the Cane Commissioner, while determining cane allotment, and, as such, while balancing the competing public interest, only that much cane is allocated, which may suffice for the crushing capability of the sugar Mill. The remainder is required to be allocated to other sugar Mills, which are also functioning to their crushing capacity, so that the yield may be maximized, and at the same time, the interest of the farmers, that is, timely payment of cane price, is also secured.

<u>**Case of -Cooperative Cane Development Union Ltd. Badaun**</u>

25. Sri Ravindra Singh, Advocate has also filed a counter affidavit on behalf of respondent No. 3, i.e. Cooperative Cane Development Union Ltd. Badaun and while placing before this Court, Rule 22 of the Rules, 1954 has submitted, that the determination of the quantity of cane to be purchased from

an area by a factory, is based on the following factors, as enumerated under Rule 22 of the Rules, 1954. For ready reference Rule 22 of the Rules, 1954 is reproduced below:-

> *"22. In reserving an area for or assigning an area to a factory or determining the quantity of cane to be purchased from an area by a factory, under Section 15, the Cane Commissioner may take into consideration-*
>
> *(a) the distance of the area from the factory,*
>
> *(b) facilities for transport of cane from the area,*
>
> *(c) the quantity of cane supplied from the area to the factory in previous year,*
>
> *(d) previous reservation and assignment orders,*
>
> *(e) the quantity of cane to be crushed in factory,*
>
> *(f) the arrangements made by the factory in previous years for payment of cess, cane price and commission,*
>
> *(g) the views of the Cane-growers' Co-operative Society of the area,*
>
> *(h) efforts made by the factory in developing the reserved or assigned area,*
>
> *(i) efforts made by the factory to provide information to the farmers pertaining to survey, supply tickets, weighment, payment etc. through the use of website. Short Messaging Service (SMS), Interactive*
>
> *(j) Voice Response System (IVRS), Hand Held Computer (HHC), Global Positioning System (GPS), electronic weigh-bridge etc."*

26. On the basis of the aforesaid, he has submitted that the petitioner sugar Mill had failed to develop the area, which was previously reserved under the assignment order and the arrangement made by the factory in the previous year for the payment of cane price etc., are relevant consideration in the determination of cane allocation to the petitioner Mill. As such, he says there is no discrimination or high handedness, as suggested by the petitioner.

27. He has further submitted that it is the exclusive authority of the Cane Commissioner under Section 15 of the Act, 1953 to reserve and assign sugarcane area. However, the Bonding Policy framed under Rule 57 of the Rules, does not give, either to the Sugar Mill or the cane growers, an

unrestricted right to the demand or supply of sugarcane, except in accordance with the statutory scheme.

28. The Cane Commissioner is required to consider all relevant statutory factors, such as the actual availability of sugarcane etc. But, the welfare of the sugar cane growers is also a requirement and since the petitioner's track record of payment to the sugarcane growers was dismal, the sugar cane growers had also shown reluctance to supply sugarcane to the petitioner, which is also evident, from the fact that the petitioner Sugar Mill at his own instance had issued the closure notice dated 26.01.2026.

29. He has further submitted that the confidence of the cane growers in the petitioner Mill had decreased, resulting in a continuous decline in the sugarcane area and poor drawl of the reserved cane. As such, the allocation limited to 51.30 LQ of sugarcane, cannot be faulted, and thereafter, the petitioner procurement of only 9.17 LQ of sugarcane, also does not give a right to the petitioner to claim higher allocation. Consequently, the case set up by the petitioner, cannot be sustained or entitle it to relief.

Issue

30. In the facts and circumstances, the paramount issue which arises for consideration by this Court, primarily is whether the petitioner was subjected to discrimination in comparison to the other Sugar Mills, while making the allocation of sugarcane; and as to whether the said discrimination led to isolation of the petitioner's sugar Mill, to the extent that it was pushed to the verge of closure?

31. The second issue which requires examination is, as to what is the impact of delayed payment and the percentage of the drawl; and if it would justify a lower cane allocation, than the estimated cane requirement, over the various crushing seasons?

Issue No. 1:

Whether the petitioner was subjected to discrimination in comparison to the other sugar Mills, while making the allocation of sugarcane; and whether the said discrimination led to isolation of the petitioner Sugar Mill, to the extent that it was pushed to the verge of closure?

32. It is not disputed between the parties that in comparison, amongst the eight sugar Mills, the remaining seven Mills were all given allotments which were more than 100%, whereas the petitioner was allotted only 50% of the estimated cane requirement; i.e., the availability of sugarcane for purchase by the petitioner Sugar Mill. It was quite limited as compared to the estimated requirement. However, it is also contended that even out of the allocated requirement, i.e., 51.30 LQ, the petitioner only purchased 9.17 LQ.

33. Sri Diptiman Singh, learned counsel for the petitioner, had given an explanation for the lower procurement by the petitioner Sugar Mill, in the back ground that the calendar which is prepared at the behest of the Sugar Cane Commissioner, did not allocate sufficient days *vis-a-vis* the villages from which the sugarcane was to be purchased by the petitioner, which resulted in the hours lost due to cane shortage.

34. A perusal of the Final Manufacturing Report for the season 2025–2026, in Form R.T.-8(c) under Rule 83 of the Central Excise Rules, reveals that the hours lost due to cane shortage were 786.19 hours, as compared to the total hours of actual crushing, i.e., 784.44 hours.

35. In view of the aforesaid, Sri Diptiman Singh, learned Advocate, submits that clearly, during the period when there was no supply of sugarcane, the functioning of the sugar Mill was brought to a standstill. However, the recurring expenses in terms of wages, maintenance, etc. continued to mount for the petitioner, and as such, the decline in the drawl percentage is largely attributable to the non-allocation or availability of sugarcane.

36. Though he has repeatedly submitted that he does not have any grievance against the other Sugar Mills, but the Court cannot shut its eyes to the fact that figures which are admitted also, with respect to the other sugar Mills there is not even a single Sugar Mill, which has not been allotted more sugarcane, than what was estimated as per the notification issued under Section 12 of the Act, 1953, (Perhaps keeping in mind the pilferage of estimated 40%).

37. On a pointed query by us Sri Manish Goyal, learned Additional Advocate General, submits that it is no doubt that certain sugar Mills were allotted upto 190.92 percentage of the original estimated cane requirement, but it was on account of their previous track record. However, he did not dispute

that columns 6 and 8 of the chart, which has been reproduced hereinabove, indicating the data pertaining to the eight Sugar Mills, i.e. allotted cane percentage and the drawl percentage, demonstrates that a comparison of the allotment and the drawl of other sugar Mills was not more than what the petitioner's drawl yielded. For example, the sugar Mill Majhawali, was given an estimate requirement of 41.40 LQ but allotted 79.04 LQ i.e. about 190.92% allotment, yielded 36.32% of drawl. In case of the petitioner, the estimated cane requirement was 100.80 LQ but was allotted only 51.30 LQ i.e. 50.89% of allotment but yielded 17.88% drawl. If we make the data, commensurate to the allotment of cane percentage between the two sugar Mills and their corresponding drawl, we find that the drawl of the petitioner's sugar Mill was more in terms of the percentage.

38. The second consideration which may be relevant in determining the discrimination, is the fact that if 90 LQ was the requirement of the petitioner's sugar Mill and 51.30 LQ was made available while determining the working of the petitioner for the season being 180 days, we find that with 51.30 LQ, the Mill could have only functioned for 102.6 days. It is, therefore, for good reason acceptable that due to the low allocation done in a discriminatory manner, the sugar Mill of the petitioner, could not function, for approximately 80 days out of 180 days in the season. As such, the comparative chart which is sought to be relied upon by the respondents cannot be accounted for, in the manner they have placed before this Court.

39. It is evident that if only approximately 50 LQ is allocated, then the calendar for making available sugarcane allotment, would have a shorter period, which is demonstrated by the fact that the cane shortage was for 786.19 hours i.e. more than the crushing hours.

40. In view of the aforesaid, we have no hesitation in holding that, by lesser allocation in comparison with the estimated cane requirement for the crushing seasons, the petitioner has been forced to a lower drawl percentage, which has resulted in the closure of the sugar Mill, and, as such, the State machinery was not justified in reallocating cane to other sugar Mills. Thus shortage of sugar supplied to petitioner far below the allocation was the root cause for the closure of the sugar Mill. As such, discrimination faced by the petitioner in comparison to other seven sugar mills is writ large.

Second issue:-

Which requires examination is as to what is the impact of delayed payment and the percentage of drawl; and it would justify a lower cane allocation, than the estimated cane requirement, over the various crushing seasons?

41. In order to understand the issue regarding the delayed payment, it will be appropriate to examine the policy dated 02.09.2025 and the Office Memorandum dated 02.11.2017.

42. A perusal of the policy dated 02.09.2025 indicates that the expectation of the Cane Commissioner, is to ensure that a minimum of 60% of the drawl is achieved and the memorandum dated 02.11.2017 also contemplates that 85% of the proceeds may be tagged while 15% is left for the purposes of adjustment of wages, maintenance etc. A dual picture emerges from the aforesaid assessment, which can be said to have been made, by the Cane Commissioner.

43. The Cane Commissioner himself acknowledges that out of the 100% procurement made by the sugar Mills, 40% constitutes pilferage and loss which cannot be avoided and utilized for crushing, and, as such, he contemplates 60% drawl.

44. We will examine the facts of the case, in the backdrop of the aforesaid enumeration of the policy dated 02.09.2025. We find that the estimated requirement for the petitioner was 100.80 LQ and, if 40% pilferage is taken into account, the cane allocation should have been around 140 LQ, to ensure that 60% drawl is achieved. Whereas only 50.31 LQ were allocated, which led to a cascading effect where having a lesser number of days in the calendar for making sugarcane available, the purchase could only be effected up to 9.17 LQ. The aforesaid had a direct impact on the payment to be made and, as such, the second proposition of providing 15% of the cost outside the regular payment cycle is also an acknowledgment of the payment cycle, that a sugar Mill has to undergo, in order to meet various contingencies.

45. In view of the aforesaid, we do not find that there was any substantial delay in making the payments and nonetheless, all the payments have been made by the sugar Mill. Therefore the delayed payments cannot be attributed to the crushing performance of the petitioner Sugar Mill and the answer lies elsewhere, as noted hereinabove.

46. In view of the aforesaid facts we find that the discrimination directed against the Petitioner Sugar Mill has resulted in its isolation and brought it to the verge of closure. It is the duty of the State to ensure that the allocations are made commensurate with the estimated requirement, so as to enable a sugar Mill to sustain itself and also yield results commensurate to the Cane Commissioner's expectation of achieving 60% drawl.

47. In view of the aforesaid facts we are of opinion that writ petition must succeed. Accordingly, we issue a mandamus to Respondent No. 2, the Cane Commissioner, to allocate sugarcane for the crushing season 2026–2027 in accordance with the crushing capacity of the petitioner, which has been estimated at 100.80 LQ, by making available the requisite quantity of sugarcane, after taking into account the 40% pilferage, acknowledged in the policy dated 02.09.2025. At the same time, the calendar prepared for the crushing season 2026–2027 shall be arranged in such a manner, as to ensure that an uninterrupted supply of sugarcane to the Petitioner Sugar Mill for 180 days in the season is maintained.

48. Needless to say that the petitioner shall ensure that it purchases, the sugarcane allotted to it and utilizes the same, so that the cane growers are paid their price within a reasonable time and the payment schedule is maintained.

49. Before parting with the Judgement, this Court wishes to put a note of reminder for the Government who represent a welfare State that an approach with sustainable development, is the need of the hour, and as such, the Polices of the Government, should be such that it sustains existing Mills and at the same time, provide avenues for setting up new Mills.

50. The writ petition stands allowed. There shall be no order as to costs.

51. Let this order be communicated to the Cane Commissioner, U.P. Lucknow by the Registrar (Compliance).

(Siddharth Nandan,J.) (J.J. Munir,J.)

September 7th 2026
piyush