



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - C No. - 35970 of 2026**

M/S Jay Shree Ram Rice Mill

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 5 Others

.....Respondent(s)

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| Counsel for Petitioner(s) | : | Roop Shandilya, Vinay Kumar Mishra |
| Counsel for Respondent(s) | : | C.S.C., Ved Byas Mishra            |

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**Court No. - 2**

**HON'BLE J.J. MUNIR, J.**

**HON'BLE INDRAJEET SHUKLA, J.**

A Division Bench of this Court, by a judgment and order dated 8th January, 2026 looking to the nature of dispute between parties about quantity of paddy supplied and other issues of fact relating to holding charges statutory and contractual dues, ordered that the petitioner should be afforded an opportunity to have all his claims adjudicated by the Arbitrator in accordance with the agreement. The Court took note of Clause 12 of the agreement between parties, which provides for arbitration.

Be that as it may, there is a judgment of this Court saying that the parties shall go before the Arbitrator, who will decide all claims raised by the petitioner and resisted by the respondents in accordance with the agreement and law. The order of 8th January, 2026 passed by the Division Bench from its tenor postulates that the matter would immediately be placed before the Arbitrator because the Arbitrator was directed to decide the arbitration within a period of four months and relief against recovery was granted to the petitioner only for a period of four months. The arbitration should have commenced immediately after the judgment and order of 8th January, 2026 was passed by the Division Bench in Writ-C No. 44684 of 2025. Instead, the matter went to the State Government and they embarked upon a fresh adjudication which was not at all required after the order of the Division Bench. The Principal Secretary, Food and Civil

Supplies, Government of U.P. Lucknow acting on behalf of the Government has said virtually that the order of the Division Bench is wrong because there are some Government Orders dated 09.10.2015 and 17.12.2015 the terms of which regarding deposit have not been complied with and that therefore the matter cannot be referred to arbitration. The order of the Principal Secretary, Ranvir Prasad *prima facie* is an act of wilful and deliberate disobedience of the order of the Division Bench dated 08.01.2026 passed in Writ-C No. 44684 of 2025, and *prima facie*, therefore, also a nullity. It is a settled principle of law that any order that is in violation of a judicial order passed by a court of competent jurisdiction much less this Court is *non est*.

In addition, the Principal Secretary Ranvir Prasad being cognizant of the orders of the Division Bench requiring arbitration to commence and be completed within four months has shown the audacity to say that the arbitration is not maintainable because the terms of the Government Orders have not been complied with, is *prima facie* also in contempt of this Court. Therefore separate orders granting appropriate relief to the petitioner and dealing with the contempt matter by directing it to be placed before His Lordship the Hon'ble the Chief Justice for the purpose of being laid before the Hon'ble Judge hearing civil contempt matters is clearly made out.

Admit.

Notice on behalf of respondent nos. 1, 2, 5 and 6 is accepted by the learned Standing Counsel and that on behalf of respondent nos. 3 and 4 by Mr. Ved Byas Mishra.

All the respondents will have two weeks' time to file a counter affidavit.

List for orders before the appropriate bench on 1st October, 2026.

Let the matter be placed before His Lordship the Hon'ble the Chief Justice with the request that a separate civil contempt matter be directed to be registered and laid before the Hon'ble Judge hearing civil contempt matters against Ranvir Singh,

Principal Secretary, Department of Food and Civil Supply,  
Government of U.P. Lucknow.

**Order on Civil Misc.Stay Application No. 1 of 2025**

Issue notice.

Until further orders of this Court, operation of the impugned order dated 04.06.2026 passed by the State Government shall remain **suspended** and no recovery shall be made from the petitioner.

Let this order be communicated to the Principal Secretary, Department of Food and Civil Supply, Government of U.P. Lucknow and the District Magistrate, Prayagraj, through the Chief Judicial Magistrate, Lucknow and Prayagraj by the Registrar (Compliance), **within 24 hours**.

**September 16, 2026**  
Pratima

**(Indrajeet Shukla,J.) (J.J. Munir,J.)**