



2026:UHC:2074

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 700 of 2026

24 March, 2026

Lekhraj & others

--Petitioners

Versus

Chief Agriculture Officer & others

--Respondents

With

Writ Petition Misc. Single No. 705 of 2026

Suresh Nath Tripathi & others

--Petitioners

Versus

Chief Agriculture Officer & others

--Respondents

Writ Petition Misc. Single No. 707 of 2026

Shivam Tripathi & others

--Petitioners

Versus

Chief Agriculture Officer & others

--Respondents

Writ Petition Misc. Single No. 708 of 2026

Sanjeev Kumar & others

--Petitioners

Versus

Chief Agriculture Officer & others

--Respondents

Presence:-

Mr. D.N. Sharma, Mr. Harshit Sanwal and Ms. Manju Bahuguna,
learned counsel for the petitioners.

Mr. Suyash Pant, learned Standing Counsel for the State.



Hon'ble Pankaj Purohit, J.

Since these writ petitions have the common facts and law involved, therefore, they are being decided by this common judgment and order and for the sake of convenience the facts of WPMS No.700 of 2026 are only being considered.

2. This writ petition has been filed by the petitioners challenging the order dated 04.02.2026, passed by District Magistrate, Udham Singh Nagar, whereby the petitioners have been stopped from sowing summer paddy in their fields except in those fields which are water logged.

3. It is contention of learned counsel for the petitioners that such an order cannot be passed by the District Magistrate, Udham Singh Nagar, without there being any sanction of law and the petitioners cannot be stopped sowing the crops of their choice.

4. It is further submitted by the learned counsel for the petitioners-farmers that they used to grow summer paddy crop, which takes only two months to harvest, and that pesticides are used in that crop in a very small quantity.

5. On instructions, learned counsel for the State submits that the impugned letter passed by learned District Magistrate, Udham Singh Nagar, is result of some deliberation between the Scientists of Pantnagar Agriculture University, I.C.A.R. and I.I.T. Roorkee which were unanimous in saying that “summer paddy shall not be allowed to be grown in the fields which are not water logged, as they are reducing the ground water level and at the same time increasing the pH value of the soil of the area from 7 to 8”.



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6. He further submits, on instructions, that the petitioners-farmers are allowed to sow the crops except the summer paddy crop in those fields which were not water logged and they have been allowed to sow the summer paddy in the field which are only water logged.

7. Having heard the learned counsel for the parties and having perused the record of the case and the impugned order dated 04.02.2026, this Court is of the considered view that every action taken by the State must have the sanction of law. Since there is no law prohibiting the petitioner-farmers from sowing a crop of their choice, this Court holds that such an order could not have been passed by the District Magistrate, Udham Singh Nagar. It is further clarified that in the absence of any statutory provision restriction on the cultivation of summer paddy cannot be imposed. For the aforesaid reasons, the impugned order dated 04.02.2026 passed by the learned District Magistrate, Udham Singh Nagar is hereby quashed.

9. In such view of the matter, petitioners are permitted to sow the summer paddy in their respective fields on the basis of their choice irrespective of the fact that the land is water logged or not.

10. Accordingly, all writ petitions stand allowed.

11. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)

24.03.2026

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