



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

207

Decided on :25.07.2025

CWP-376-2001 (O&M)

THE MORINDA COOP. SUGAR MILLS LTD. . .Petitioner
Versus

THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
PUNJAB,CHANDIGARH AND ANOTHER . . . Respondents

CWP-11917-2001 (O&M)

MILLS WORKERS UNION JOINT COMMITTEE . .Petitioner
Versus

THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
PUNJAB,CHANDIGARH AND ANOTHER . . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Chanderdeep Singh, Advocate
for petitioner union in CWP-11917-2001 and
for respondent No. 2 in CWP No. 376-2001.

Mr. Rahul Sharma, Advocate
for the respondent No. 2 in CWP-11917-2001.

HARSIMRAN SINGH SETHI , J. (Oral)

1. By this common order, both the writ petitions are being disposed of.
2. In the present petitions, the challenge is to the same impugned award dated 09.05.2000 (Annexure P-4). The challenge on behalf of the petitioner-Sugar Mill is to the direction given by the Tribunal for accepting one of the demand raised by the respondent-worker-union whereas, the workmen-union is challenging the award on the ground that all the claim raised by the respondent/worker-union has not been accepted except one claim i.e. production incentive for the year 1994-95.
4. None appears for Sugar Mill in CWP No. 376 of 2001.



CWP-376-2001 (O&M)

CWP-11917-2001 (O&M)

-2-

5. On asking of the Court, Mr. Rahul Sharma, appears on behalf of petitioner-Sugar Mill and submits that direction for accepting the claim of the worker-union qua demand No. 4 i.e. the workmen are entitled to the production incentives for the year 1994-95, has wrongly been granted by the Tribunal.

5. On being asked to point out that what is the perversity in granting the said relief, learned counsel for the petitioner has not been able to point out the facts and evidence which has come on record to show that the benefit so granted by the Tribunal qua the demand of the worker-union qua demand No. 4 is incorrect in any manner.

6. Similarly, the other demands, which were claimed by the worker union has been rejected by the Tribunal in the impugned award. The similar question was put to the learned counsel for the worker-union, as to how, according to the worker union, the award is bad keeping in view the facts and evidence on record, learned counsel for the worker-union has also not been able to prove any perversity in the findings recorded by the Tribunal keeping in view the facts and evidence on record.

7. Even otherwise, the Award dated 09.05.2000 (Annexure P-4) of the Labour Court can only be interfered in case the same is perverse to the facts or evidence brought on record or the settled principle of law. In the present case, no perversity has been shown to this Court in the impugned Award that the same is contrary to the facts or the settled principle of law.

8.. No ground is made out for any interference by this Court in the facts and circumstances of the both cases.

9. As the findings of the Labour Court have already been upheld, any amount which is admissible to the member of the worker-union which



CWP-376-2001 (O&M)

CWP-11917-2001 (O&M)

-3-

has been deposited by the Mill before this Court qua the acceptance of demand No. 4 in the impugned award, the same be released in the favour of the Mill to be forwarded to entitled Member of the worker union who were working in the respective year of 1994-1995 including the LRs of the said member in case, the said members are not alive as of now.

10. Let the needful be done within the period of eight weeks from the receipt of copy of this Order.

11. It may be noticed that in case, any such application is moved by the Mill along with the copy of this order, the competent authority of this Court where the amount is lying, will release the deposited amount in the favour of the mill. Sugar Mill is directed to place on record an affidavit of compliance of disbursement of the amount to the entitled workmen or their legal heirs within a period of three months from today.

12. Accordingly, the writ petitions are dismissed.

13. A photocopy of this order be placed on the file of connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

25.07.2025

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*