



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

(159)

CWP-2436-1999 (O&M)

Date of decision:- 26.02.2026

BUDHEWAL SEHKARI KHAND MILL WORKERS UNION

... Petitioner

Versus

BUDHEWAL COOP. SUGAR MILLS LTD AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Swarn Sandhir, Advocate
for the petitioner.

Mr. Rahul Aggarwal, Advocate
for respondents No.1 to 3.

Mr. Kanav Singla, AAG, Punjab
for respondents No.4 and 5.

SUVIR SEHGAL, J. (ORAL)

1. Pursuant to the previous order, an affidavit of Mr. Gurvinder Singh, General Manager, The Budhewal Co-operative Sugar Mills Ltd., Ludhiana, respondent No.3, has been taken on record. Copy has been supplied to counsel for the petitioner. Relevant extract of the affidavit is reproduced hereunder:-

“3. That for the crushing season of 1998-99, the Punjab State Federation of Coop. Sugar Mills Ltd., Chandigarh (Sugarfed), accorded approval for the grant of 38 days' wages as a Production Incentive to the workers and employees of the Mills. This approval was subject to a strict condition precedent



conveyed via Sugarfed Letter No. 6260 dated 22.12.1998 and Letter No. 524 dated 05.02.1999. The condition explicitly stated that the production incentive was only to be released to those workers who did not participate in the "Slow Down" or "Strike" action held on 19.12.1998 and 20.12.1998.

4. That to ensure transparency and verify compliance with Sugarfed's directions, the Mills required all employees to submit a written undertaking confirming that they had not participated in the illegal strike or slow-down activities on the dates in question.

5. That while the vast majority of the workforce complied and submitted the requisite undertaking, the three workers, who were active members of the Workers Union, namely Mr Mr. Bhupinder Singh (Fitter-I), Mr. Palwinder Singh (Fitter-1/Pump Attendant) and Mr Surinder Singh (Fitter Helper, now Fitter-1) did not provide such an undertaking and were identified as participants in the disruptive activities.

6. That based on the factual position and the records of the Mills, it was determined that these three individuals were active participants in the industrial action on 19.12.1998 and 20.12.1998. Consequently, they failed to meet the eligibility criteria established by the Punjab State Federation of Co-operative Sugar Mills Ltd.

7. That the total financial implication for these three workers amounts to approximately Rs 12,000/-. However, the Mills maintains that releasing the payment would constitute a violation of the express policy and directions issued by Sugarfed.

8. That the incentive has already been duly paid to all other eligible workers who complied with the terms of the scheme, and only these three individuals remain unpaid due to their specific non-eligibility as per the strike-related conditions.”



2. In view of the fact that incentive has been paid to all the workers who have submitted an undertaking, writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

26.02.2026
parul verma

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No