



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

CWP-4562-2017

Date of Decision: **12.05.2026**

GOBINDA SHARMA

.....Petitioner

VERSUS

THE SONEPAT CO-OPERATIVE SUGAR MILLS LTD. AND ANR.

....Respondents

CWP-12793-2017

KULDEEP

.....Petitioner

VERSUS

THE SONEPAT CO-OPERATIVE SUGAR MILLS LTD. AND ANR.

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Chander Shekhar, Advocate
for the petitioner(s)-workmen.

Mr. Nikhil Saini, Advocate and
Mr. Surender Saini, Advocate,
for respondent no.1-management

KULDEEP TIWARI, J.(Oral)

1. Both these petitions, are amenable to be decided together, as a common Award, dated 21.01.2016, has been challenged, therein.

2. Learned counsel for the petitioner(s) at the outset submits that the petitioners are seasonal employee, and their termination is in violation of Section 25-F of the Industrial Disputes Act, 1947, would not amount to retrenchment. Therefore, he, fairly, submits that a direction can be passed upon the respondent no.1-management, only to the extent of

maintaining a register of roll, so that as and when the exigency of work arise, the previous employees can be called in accordance of their seniority.

3. He further, placed reliance upon a judgement passed by a co-ordinate bench of this Court in a bunch of petition, i.e. “**Dilbagh Singh vs. Presiding Officer, Labour Court and another**” CWP-10618-2012 and connected petitions, vide order dated 20.05.2015, with regard to the seasonal employees. The relevant is extracted hereinafter:-

“Learned counsel for the petitioner submits that it has been consistently held by the Hon'ble Supreme Court in various judgments that seasonal workers cannot be permitted to allege that services have been terminated in blatant violation of provisions of Section 25-F of the Act as it would not amount to retrenchment and the only direction which has been given in all the judgments, is to maintain a register for all the employees so that as and when the exigency of work arise, the previous employees can be requested/called for work.

In order to lend support to the aforementioned, learned counsel for the petitioner has relied upon the judgment of Hon'ble Supreme Court in Morinda Co-op. Sugar Mill Ltd. Vs. Ram Kishan (1996) AIR SC 332.

In view of what has been observed above, no illegality, much less perversity is found in the award passed by the Labour Court whereby the reference raised by the petitioners has been rejected.

All the aforementioned writ petitions are disposed of with a direction to the respondents to maintain a register of all the erstwhile workmen so that they can be engaged as and when the new season starts. The Management shall make a publication in the area in which the respondents normally live and if they would report for duty the Management would engage them in accordance with seniority.”

4. Learned counsel for respondent no.1-management submits that the management is already maintaining the register of rolls, therefore, he does have any objection in case a *mandamus* is passed upon the respondent no.1-management in view of the direction passed in the judgment (*supra*).

5. In view of the consensus arrived at between the parties, the instant petitions are disposed of in terms of the judgement (*supra*).

6. All pending application(s), if any, also stand **disposed** of accordingly.

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

May 12, 2026

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No