



CWP-25257-2022

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Dearness Allowance in 2017 and it was made 148% of basic pay. The revision was made at par with regular employees working at that point of time. The respondent-Punjab Government has made further appointments and newly appointed employees are getting lesser salary than petitioners and respondents are comparing petitioners with newly recruited employees. Resultantly, Dearness Allowance of petitioners has been freezed to 148% whereas it has been increased to 221% in U.T., Chandigarh.

The petitioners cannot claim parity with U.T., Chandigarh, however, their Dearness Allowance cannot be freezed in view of recruitment of fresh employees at lower pay scale.

4. Learned State counsel submits that petitioners are volunteers and not employees of Punjab Government. As per judgment cited by counsel for the petitioners, a volunteer cannot claim parity with regular employees. The Administration has revised Dearness Allowance of its regular employees, however, petitioners being volunteers are not entitled to revision of Dearness Allowance as granted to the regular employees of the State Government.

5. From the perusal of record and judgment of Supreme Court in ***Grah Rakshak*** (Supra), it is evident that petitioners are entitled to minimum of the pay i.e. basic pay, grade pay, dearness allowance and washing allowance. The respondents in view of judgment of Supreme Court are bound to pay minimum of the pay which includes Dearness Allowance. If the respondents have revised dearness allowance vis-a-vis minimum basic pay of regular employees, it is bound to consider case of the petitioners in terms of the aforesaid judgment. Accordingly, respondent-Authorities are directed to consider case of the petitioners *qua* grant of Dearness Allowance in terms of the aforesaid judgment

of Supreme Court in **Grah Rakshak (Supra)**. The respondents shall pass an appropriate order within a period of two months from today.

6. Disposed of accordingly.

13.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No