



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

130

CWP-1683-2025

Date of decision: 18.02.2025

SUSHILA AND OTHERS**...PETITIONERS****VERSUS****UNION TERRITORY OF CHANDIGARH AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Pardeep Sehrawat, Advocate
for the petitioners.

Mr. Tanmoy Gupta, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Article 226/227 of the Constitution of India are seeking setting aside of the order dated 05.11.2024 (Annexure P-5) whereby the petitioners' claim for dearness allowance has been rejected.

2. The petitioners joined respondents in 2013 as JBT in SSA, Chandigarh. They resigned in 2023. The respondents revised the dearness allowance from retrospective date. The petitioners are also entitled to revision of dearness allowance for the period they have worked with the respondents.

3. Mr. Tanmoy Gupta, Advocate submits that the respondents have released the dearness allowance to all those employees who are already working but denied to those employees who had left the organization despite their working during the period in question. He expressed his inability to



controvert the fact that petitioners got salary during their service tenure along with dearness allowance, thus, they are entitled to revision of dearness allowance.

4. I have heard the learned counsel for the parties and have gone through the record.

5. The petitioners are claiming revised dearness allowance for the period they had worked with the respondents. The respondents are not disputing the revision of dearness allowance and payment to employees who are still working. However, revision is denied to the employees who had already resigned. The respondents have not pointed out any instruction or circular providing that revised dearness allowance would not be admissible to employees who had already left the organization.

6. In the wake of the above discussion and finding, this Court find it appropriate to direct the respondents to release arrears arising out of revision of dearness allowance during the period petitioners have worked with them. The arrears would be paid along with interest at the rate of 6% per annum. Let the needful be done within a period of three months from today.

18.02.2025

Nisha Yadav

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No