



CWP-15735-2007 and
CWP-15736-2007

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

1075-2 cases

Date of decision: 14.05.2025

- 1) CWP-15735-2007
Prem Kumar vs. Union of India and others
- 2) CWP-15736-2007
Pawan Kumar vs. Union of India and others

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. These cases involve similar issues and therefore, are being disposed of together by this common order.
2. Learned State counsel refers to para 1 and 2 of the preliminary submissions of the reply dated 24.04.2008, filed on behalf of respondent Nos.2 and 4, to which there was no counter filed and the same reads thus:-

“That the petitioner in the present writ petition is seeking the directions to the respondents No. 2 & 4 to revise and fix the pay of the petitioner by including dearness allowance as admissible to the petitioner and release of arrear & further to send the demand to respondent No.1 to release the grant to the respondent No. 4 i.e. where he was working upto 30.4.2007. It is submitted that the scheme of Community Polytechnic under which the petitioner was appointed on contractual basis was being run under the Education Department, Shashtri Bhawan, New Delhi, Ministry of Human Resources Development Govt. of India. This Scheme was funded by the central Govt. and the persons engaged were paid remuneration as per guidelines issued by the Ministry of Human Resources Development Govt. of India. So the answering respondents had nothing to do in revising the pay by adding dearness allowance. The relief, if any, admissible is to be decided by the respondent No.1 Further the scheme stands discontinued by the respondent No.1 w.e.f. 01.08.2007. So the question of sending the demand to release the grant after 31.7.2007 does not arise.

2. That the petitioner in the present writ petition is claiming the adding of dearness allowance as in case of Gagandeep



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Bhandari's case. It is submitted that the petitioner filed C.W.P. No. 10350 of 2001 titled as Prem Kumar, versus Union of India, Through Secretary, Ministry of Human Resources Development, Education Department, Shashtri Bhawan, New Delhi and others in the prayer of which he did not claim consequential benefits with pay scale of Junior Assistant as prevalent in state of Punjab and same was allowed on 19.8.2003 in terms of the order passed in C.W.P. 11275 of 1998 titled Anu Lumba versus Union of India, on all issues except regularization, so dearness allowance was not paid to the petitioner. The pay scale was granted vide office order no.24 dated 16.1.07 (Annexure R-1) arrears were calculated (Annexure P-4) and paid (Annexure R-2). The copy of receipt is annexed as Annexure R-3.”

- 3. Disposed of, reserving the petitioner(s) with a liberty to get it revived, by demonstrating that the *lis* still survives.
- 4. Photocopy of this order be placed on the file of connected case.

(AMAN CHAUDHARY)
JUDGE

14.05.2025
Hemant

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