

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.175 of 2017 (O&M)

Date of Decision: 06.02.2017

State of Haryana & Ors.`

... Appellants

VS.

Suresh Kumar

... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Deepak Balyan, Addl. AG Haryana

SURYA KANT, J. (Oral)

(1) State of Haryana has challenged the order dated 19.08.2016 vide which the respondent has been held entitled to the benefit of two months' basic pay as honorarium on account of having performed his duties directly connected with two election processes i.e. the Lok Sabha General Elections, 2009 and Haryana Vidhan Sabha General Elections, 2009.

(2) It is undeniable that the Election Commission of India issued the circular dated 23.06.1998 whereunder all the States and Union Territories were directed to pay honorarium to the employees engaged and directly connected with the election work.

(3) The solitary dispute was whether or not the respondent performed his duties directly connected with election work?

(4) Learned Single Judge, on consideration of the documents on record, has found as a matter of fact that the respondent indeed performed the duties directly connected with the election work. The respondent was attached as Senior Scale Stenographer with the Deputy Secretary to whom honorarium has been paid. If the officer with whom the respondent was attached, was performing the duties relating to elections, it is obvious that the respondent too

(5) Similarly, learned Single Judge has rightly held that it was a case of discrimination as similarly-placed employees were granted such benefits.

(6) Dismissed.

(Surya Kant)
Judge

06.02.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No