

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

CWP-5220-2020

Date of decision: 26.07.2022

Shiv Kumar Kaushik

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. P.R.Yadav, Advocate,
For the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari to quash letter dated 20.02.2020 (Annexure P-8) issued by the Chief Secretary to Government of Haryana vide which name of the petitioner has been withdrawn by the Finance Department for granting the honorarium equivalent to one month salary last drawn by him.

2. I have heard learned counsel for the parties and gone through the case file. The claim of the petitioner is not admissible in view of the candid stand taken by the respondents in paras 4 and 5 of reply, which is reproduced herein below for ready reference:

“4. That the name of the petitioner was added in list which was approved by the competent authority for grant of honorarium but the same was erroneously withdrawn subsequently. The matter has been re-examined and the competent authority has decided to recommend his name for one month pay as honorarium on the basis of pay drawn by him on contractual basis after retirement from government service as he was re-employed on contract basis in CM Grievances Cell. This decision of the competent authority for grant of honorarium to the petitioner was conveyed to the Treasuries & Account Department Haryana vide U.O No.28/44/2018-5 B&C dated 22.06.2021. A copy of the U.O dated 22.06.2021 is annexed as Annexure R-1. Treasuries & Account Department Haryana vide sanction No. 5070-TA-HR(ST) 2021/3580 dated 28.06.2021 granted

honorarium of Rs.20,000 in favour of Sh. Shiv Kumar Kaushik Assistant (retired) for the budget preparation of Financial year 2017-18 on the basis of pay drawn by him as Contractual employee. A copy of the letter dated 28.06.2021 is annexed as Annexure R-2.

5. *That it is pertinent to mention here that the petitioner was working on contract basis with the Government of Haryana when he provided his assistance in the budget work for the financial year 2017-18. This honorarium has been granted to the petitioner in addition to his contractual salary for putting in extra working hours for his assistance in budget work.*

It is, therefore, most respectfully prayed that the present writ petition may kindly be dismissed in interest of justice as the same has been rendered infructuous.”

3. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

4. Even otherwise office order dated 28.06.2021 (Annexure R-2) has not been challenged. Confronted, learned counsel for the petitioner seeks time to challenge the same. May do so.

5. No grounds are made out to interfere in the instant proceedings. Instant writ petition is dismissed with liberty to the petitioner to challenge the aforesaid order dated 28.06.2021 (Annexure R-2).

(ARUN MONGA)
JUDGE

July 26, 2022

Vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No