

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

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**CWP-7176-2018(O&M)
Date of Order: 02.03.2022**

KRISHAN KUMAR AND ORS

..Petitioners

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. V.K. Sheoran, Advocate
for the petitioners.

Mr. Harsh Vardhan, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioners are the elected office bearers (Sarpanch) of the various Gram Panchayats. The Government of Haryana has ordered payment of Rs.3,000/- per month as Honorarium to each Sarpanch vide notification dated 12.09.2016. The learned counsel representing the petitioner contends that the amount is on the lower side and they are not paid various allowances, medical facilities, pension etc., whereas, the Members of Legislative Assembly and Members of Parliament are granted various other allowances. He relies upon Section 199 of the Haryana Panchayati Raj Act, 1994, which is extracted as under:-

***“Section 199- Payment of honorarium and allowances-
The Gram Panchayats, Panchayat Samitis and Zila
Parishads shall pay its Panch, Sarpanch, Member,
Chairman, Vice-Chairman, President and Vice-
President, such honorarium and allowances, as may
prescribed.”***

It is evident that the elected Sarpanch is paid Honorarium which

he cannot claim as a matter of right. It depends upon the policy decision

taken by the Government at the relevant time. The Sarpanch is not an employee. The elected Sarpanch cannot claim equation with the Members of Parliament or the Members of Legislative Assembly.

A writ cannot be issued in the absence of a well established right.

Hence, no ground to issue the writ is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

March 02nd, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No