



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

103+217**CM-814-CWP-2025 in/and
CWP-29739-2022****Date of Decision: 20.01.2026****Dharampal Singh Dahiya****....Petitioner****Versus****The Chief Election Commissioner of India and others****....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Petitioner in person.

Mr. Prateek Gupta, Advocate
for respondent No.1.

Mr. Aman Mittal, Deputy Additional Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

1. In compliance of the order dated 17.11.2025, affidavit of Deputy Commissioner-cum-District Election Officer, Sonapat, has been filed by respondent No.2 today in the Court, which is taken on the record.
2. In the present petition, the claim of the petitioner is qua the payment of Travelling Allowance(TA)/Daily Allowance (DA) while he was posted as a Principal, Government Senior Secondary School, Baiyanpur Lehrara, District Sonapat, when he was directed to perform the duties of Duty Magistrate of the Flying Squad as well in Baroda Assembly Constituency in addition to his duties as Supervisor on BLO in Sonapat Constituency during the General Election of Lok Sabha held in the year 2019.
3. The petitioner submits that from the place of posting, i.e.



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Government Senior Secondary School, Baiyanpur Lehrara, District Sonapat, the Head Quarters fixed by the Election Commission for performing the duties of Duty Magistrate of Flying Squad was 37 kms one way and he had to travel the said distance in order to discharge the duties of a Duty Magistrate of the Flying Squad. The prayer is that he should be granted the Travelling Allowance/Daily Allowance for the journey undertaken to perform the duties assigned to him by Election Commission as the said travel undertaken has to be treated as a part of the duty to be performed as a Duty Magistrate of the Flying Squad, which was undertaken in his private vehicle as no official vehicle was allotted to him.

4. The learned counsel appearing on behalf of respondent No.1 submits that no official vehicle was provided or allotted either by the Election Commission of India or by the District Election Officer, Sonapat for daily commuting from petitioner's place of posting as Principal to election duty headquarters and back during period of his deployment on election duty and whatever travel has been undertaken by the petitioner, the same has to be taken into consideration the actual payment of the Travelling Allowance/Daily Allowance is to be made by the State and therefore, in the facts and circumstances of the present case, the petitioner was required to travel 37 kms to join and discharge the duties as a Duty Magistrate of the Flying Squad, the State is to decide the payment qua the said journey undertaken by the petitioner, in order to discharge the duties as a Duty Magistrate of the Flying Squad.

5. The learned State counsel submits that as per the Rules governing



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the grant of Travelling Allowance, i.e. Haryana Civil Services (Travelling Allowance) Rules, 2016, it is only in case, the journey is undertaken with the prior permission in case same is done in the self owned vehicle, the Travelling Allowance is payable whereas, no such permission was obtained by the petitioner and therefore, the State has not released the Travelling Allowance though the petitioner in order to discharge the duties as assigned by the Election Commission as a Duty Magistrate of the Flying Squad in Baroda Assembly Constituency has undertaken the journey from the place of posting as Principal to the Head Quarter fixed by the Election Commission.

6. We have heard the petitioner in person, the learned counsel for respondent No.1 as well as the learned State counsel and have gone through the record with their able assistance.

7. Once, it is a conceded fact that the petitioner was appointed as a Duty Magistrate of Flying Squad in Baroda Assembly Constituency while he was working as a Principal of Government Senior Secondary School, Baiyanpur Lehrara, District Sonapat, and in order to reach the Head Quarter fixed by the Election Commission, he had to travel 37 kms one way, the State is under an obligation to pay for the Travelling Allowance/Daily Allowance qua the said journey undertaken. The said journey was not a voluntary journey but in order to perform the duties as a Duty Magistrate duly appointed by the Election Commission. For the same, no further permission much less prior permission was required to travel in his self owned car.

8. Keeping in view the totality of the circumstances, once the journey has been undertaken by the petitioner in his private vehicle in order to



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discharge the duties of the post of a Duty Magistrate in Baroda Assembly Constituency, the State is directed to pay the Travelling Allowance/Daily Allowance qua the travelling bills already submitted by the petitioner.

9. Further, as the journey was undertaken in the year 2019 and the entitled payment has not been made for a period of six years and that too without any valid justification, the amount so calculated will also carry interest @6% per annum from the date the journey was undertaken till the actual payment of the same.

10. Let the payment be released to the petitioner qua Travelling Allowance and Daily Allowance within a period of eight weeks of the receipt of the copy of this order.

11. The said order is to be complied with by the District Education Officer, Sonapat, Haryana.

12. The present petition is allowed accordingly.

13. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

January 20, 2026

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No