

**Court No. - 7**

**Case :-** WRIT - A No. - 8363 of 2023

**Petitioner :-** Shailesh Kumar Shukla

**Respondent :-** State Of U.P. Thru. Prin. Secy. Deptt. Higher Education  
Lko. And Another

**Counsel for Petitioner :-** Sachin Upadhyay, Shivendra S Singh  
Rathore, Tanvi Jain

**Counsel for Respondent :-** C.S.C.

**Hon'ble Abdul Moin, J.**

Heard Sri Shivendra S Singh Rathore, learned counsel for the petitioner and Sri Ran Vijay Singh, learned counsel for the respondent.

With the consent of learned counsel appearing on behalf of the contesting parties, the instant writ petition is being finally decided.

Learned counsel for the petitioner after arguing at some length states that despite the petitioner having been placed under suspension vide order dated 06.07.2022, a copy of which is annexure 7 to the writ petition, he is only being paid 50 percent of subsistence allowance and the increase of subsistence allowance has not been considered by the respondents despite the specific provisions being there in Rule 53 of the Financial Hand Book which governs the grant of Subsistence allowance keeping in view Rule 9 (5) of the Uttar Pradesh Government Servant (Disciplinary and Appeal) Rules, 1999.

Learned counsel for the petitioner submits that with regard to the relief sought in the writ petition, the petitioner may be permitted to submit a representation before the respondent No.1 which may be directed to be decided within a fixed time frame to which Sri Ran Vijay Singh, learned counsel for the respondent has no objection.

In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before the respondent No.1 then the respondent No.1 shall endeavour to decide the same by means of a reasoned and speaking order within a further period of four weeks from the date of receipt of a certified copy of this order along with representation.

With the aforesaid direction, writ petition is disposed of.

It is made clear that this Court has not gone into the merits of the case.

**Order Date :-** 28.10.2023

Pachhere/-