

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12884 of 2013

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Pramod Singh, Son of Late Baijnath Singh, Resident of Village - Garahara, P.S.
Barauni, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai
3. The Sub - Divisional Officer - Cum - Conducting Officer, Begusarai
4. The Incharge Officer District General Section Collectorate, Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kr. Jha, Advocate

Mr. Randhir Kumar-I, Advocate

For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 20-03-2015

Heard learned counsel for the parties.

2. It appears, petitioner was earlier under suspension as he was in jail. Later he was granted bail, whereafter present suspension order has been passed in terms of the provisions contained in Rule 9(3) and the earlier suspension was in terms of Rule 9(1), as such, two situations being different, there does not appear any error in the subsequent suspension order.

3. It is submitted on behalf of the petitioner that notwithstanding the fact that petitioner has continued in suspension for more than a year quantum of his subsistence allowance is not being revised.

4. Let petitioner represent before the District

Magistrate, Begusarai seeking revision of the subsistence allowance, which should be considered in accordance with law as early as possible, in any case, within a month from the date of receipt of the representation along with a copy of this order before the District Magistrate, Begusarai. In case, District Magistrate, Begusarai is of the view that quantum of subsistence allowance is required to be enhanced, the arrears of suspension allowance in terms of the enhanced entitlement be paid to the petitioner within another one month of the order of the District Magistrate.

5. Sri Rajiv Kumar-IV, Judicial Magistrate, Ist Class, Begusarai is directed to expedite the trial in connection with Garhara P.S. Case No. 62 of 2009 and dispose of the same as early as possible, in any case, within six months from the date of receipt/ production of a copy of this order in the court below.

6. Let a copy of this order be sent not only to the trial court but also to the Officer-in-Charge, Garhara Police Station, who should ensure production of the witnesses for disposal of the case within the time aforesaid.

7. This petition is, accordingly, disposed of.

(V.N. Sinha, J.)

Rajesh/-

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