

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6780 of 2016**

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Anuj Kumar, Son of Anil Kumar, resident of village- Kunjwan, P.O.-  
Kunjwan, P.S. Bihta, District- Patna

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Directorate General of Police, Sachivalaya, Patna.
3. Senior Superintendent of Police, Traffic Patna.
4. The Superintendent of Police, Traffic Patna.
5. Deputy Superintendent of Police, First Traffic Patna.
6. The Officer Incharge, P.S. Gardanibagh, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Tiwary  
For the Respondent/s : Mr. Ravindra Nath Dubey, AAG-12

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

2      14-07-2016                      The petitioner was working on the post of Traffic Operator in Patna district. A criminal case was instituted against him by one Anju Kumari, giving rise to Gardanibagh P.S. Case No. 361 of 2015, under Section 354(1-B) of the Indian Penal Code. The petitioner was put under suspension vide order, dated 22.04.2015, passed by the S.P. Traffic, Patna.

The writ petition is limited to the prayer that the petitioner has not been paid his subsistence allowance even after lapse of more than one year and two months since passing of the order of suspension.

It goes without saying that under the Rules, a

suspended employee is entitled to subsistence allowance and the same ought to have been promptly paid, so that he could defend himself effectively.

As such, this Court directs the S.P. Traffic and other respondents to ensure continuous payment of subsistence allowance along with its arrears and the same must be paid within six months from the date of receipt of a copy of this order.

With the direction aforesaid, the writ application is disposed of.

**(Samarendra Pratap Singh, J)**

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