

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.316 of 2015**

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Shesh Kumar, Son of Ram Chandra Prasad Singh, Resident of village -  
Shairpur, P.S. Harnaut, District - Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Planning and Development, Govt. of Bihar, Patna
2. The Principal Secretary, Department Planning and Development, Govt. of Bihar.
3. Director, Department Planning & Development, Govt. of Bihar, Patna
4. The Secretary, Department of Ruler Department, Govt. of Bihar, Patna
5. District Magistrate, Gaya
6. District Magistrate, Muzaffarpur
7. Addl. Collector Departmental Inquiry Gaya
8. District Statistics Officer, Gaya
9. District Statistics Officer, Muzaffarpur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Bihari Tiwary

For the Respondent/s : Mr. Kaushal Kumar Jha, AAG-14

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

2      28-06-2016                      Heard counsel for the petitioner and learned counsel  
appearing of the State.

The petitioner was initially appointed as Block Statistical Supervisor in the Government of Bihar, in the year 1990. In the year 2011, he was transferred at Tankupa in the district of Gaya, where he continued till 10.09.2014. In fact, on 10.09.2014, he was arrested by the Sleuths of Vigilance Department for taking a bribe of Rs.20,000/-, and a criminal case and departmental proceeding has been initiated against him. The

petitioner was put under suspension on 11.11.2014, with effect from 10.09.2014, i.e. the date of his arrest. For the present, the petitioner has confined his prayer to payment of subsistence allowance.

It goes without saying that payment of subsistence allowance, during the period of suspension, is a statutory right of an employee. The respondents are, therefore, directed to pay the subsistence allowance, if not already paid to him, within a period of one month from the date of receipt/ production of a copy of this order.

**(Samarendra Pratap Singh, J)**

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