

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5230 of 2017**

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Ram Prawesh Prasad Son of Late Murat Prasad, Resident of Daudpur Kothi,  
P.O. M.I.T., P.S. Brahampura, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Patna
2. The Director, Panchayati Raj Directorate, Patna
3. The Deputy Director, Panchayat Raj, Saran Division at Chapra

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Amaresh Kumar  
For the Respondent/s : Mr. PUSHKAR NARAIN SHAHI-AAG6

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2     14-09-2017             Heard learned counsel for the parties.

By an order, dated 13.11.2014, the petitioner has been put under suspension because of registration of a criminal case being Economic Offence P.S. Case No. 05/2014 under Section 13(2) read with Section 13(1) (2) of the Prevention of Corruption Act. It also appears that a disciplinary proceeding has also been initiated against him for the same transaction, which has not been concluded.

The order of suspension does not require any interference since the same has been passed in view of criminal case pending against him under Rule 9(1) (C) of the Bihar Government Servant(Classification, Control and Appeal) Rules, 2005.

It is the petitioner's grievance that he is not getting his



subsistence allowance though there is stipulation to this effect in the order placing the petitioner under suspension. I direct the Director, Panchayati Raj Department, Government of Bihar, Patna to ensure that the petitioner is paid his subsistence allowance in accordance with the provisions of the rules within a period of three weeks from the date of receipt/production of a copy of this order, if not already paid.

Learned counsel for the petitioner has submitted that the petitioner is going to retire with effect from 31.01.2018. I direct the Director, Panchayati Raj Department, Govt. of Bihar, Patna to ensure that the disciplinary proceeding is concluded and final order is passed positively by 15<sup>th</sup> of December, 2017. If no final order is passed within the period indicated above, the Court may take serious note of the matter.

This application stands disposed of accordingly.

**(Chakradhari Sharan Singh, J)**

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