

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11044 of 2017

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1. Dr. Kumar Sunil Sinha, Son of Late Anuj Prasad Sinha, Resident of
Village- Nerut, Police Station- Asthawa, District- Nalanda
..... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare
Department, Patna
3. The Director, Scheduled Caste and Scheduled Tribe Welfare Department,
Patna
4. The Deputy Director, Welfare, Magadh Division, Gaya
5. The District Welfare Officer, Arwal Respondents

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Appearance :

For the Petitioner : Mrs. Mahasweta Chatterjee, Adv.
For the Respondents : Mr. Md. Raisul Haque, SC X

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-09-2017

Heard both sides.

The petitioner has filed this writ petition against the order of his suspension and for non-payment of subsistence allowance during the period of suspension of the petitioner.

The petitioner was suspended vide order, dated 18.04.2016, as contained in Memo No. 3581, Annexure 6, and memo of charge was also served on the petitioner.

Mrs. Mahashweta Chatterjee, the learned counsel for the petitioner submits that even after lapse of more than one and half years, the departmental proceeding has not yet been concluded. The respondents are not paying subsistence allowance to the petitioner and the petitioner has got subsistence allowance uptill February, 2017, only.

The State has filed counter affidavit. Learned Assistant Counsel to Standing Counsel X submits that subsistence allowance uptill July, 2017, has already been paid and the



departmental enquiry is likely to be concluded.

Having considered the submission of both sides, I am disposing off this writ petition with a direction to the disciplinary authority to conclude the departmental proceeding within four months, from the date of receipt of this order and, in the meantime, ensure the payment of subsistence allowance to the petitioner till his suspension is revoked, in accordance with law.

This writ petition stands **disposed off**, accordingly.

(Prabhat Kumar Jha, J)

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