

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3499 of 2014

IN

Civil Writ Jurisdiction Case No. 1621 of 2014

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Md. Reyazuddin Ahmad, son of Late Sirazuddin Ahmad, resident of Mohalla-Patna
Tent Gali, Khalifabag, P.S.-Kotwali, District-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar at Patna, namely Sri Anjani Kumar Singh
2. The Principal Secretary, Revenue and Land Reforms Department, Bihar at Patna, namely Sri Vyas Jee
3. The Secretary, Revenue and Reforms Department, Government of Bihar, Patna, namely Sri Hukum Singh Meena
4. The Director, Land Records and Survey, Government of Bihar, at Patna, namely Sri Hukum Singh Meena
5. The Commissioner, Koshi Division at Saharsa, namely Sri Ram Roop Singh
6. The Collector-cum-Settlement Officer, Saharsa, namely Sri Shashi Bhushan Kumar
7. The Collector-cum-Settlement Officer, Lakhisarai, namely Sri Manoj Kumar Singh
8. The Assistant Settlement Officer, Saharsa-cum-Drawing and Disbursing Officer-cum-Circle Officer(Sadar) Kahra, Saharsa at Saharsa, namely Sri Rajeev Ranjan(DCLR)
9. The Charge Officer-cum-Drawing and Disbursing Officer, Settlement and Disbursing Officer, Settlement Lakhisarai, at Lakhisarai, namely Sri Dayanand Mishra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 06-07-2017

Keeping in view the show cause filed by the
respondents indicating the settlement of the claim of the petitioner



except subsistence allowance, no further indulgence into the matter is called for.

This Court had directed the respondents to settle the claim of the petitioner and as far as subsistence allowance is concerned, from para 15 of the show cause, it is seen that since the petitioner was absent from the headquarters, hence the subsistence allowance had not been paid.

It is submitted by learned counsel for the petitioner that as per rule, it is only required to submit a certificate indicating that he was present and as the petitioner has submitted the aforesaid certificate, subsistence allowance should be paid to him.

The question of payment of subsistence allowance is disputed between the parties and as this dispute has not been settled and the direction issued was only to settle the claim of the petitioner, even with regard to subsistence allowance, in case the petitioner has joined in the headquarters, now in this contempt application, I am of the considered view that the dispute with regard to payment of subsistence allowance cannot be settled and no direction can be issued for payment of subsistence allowance.

In case, the petitioner has any grievance with regard to payment of subsistence allowance, liberty shall be



available to the petitioner to claim the same, in accordance with law.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08/07/2017
Transmission Date	NA

