

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.14689 of 2016 (O&M)

Date of Decision: 09.02.2017

Harbans Singh Dhindsa

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.P. Vashisht, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed seeking to the release of 75% subsistence allowance, admissible to the petitioner during his period of suspension, on completion of 06 months from the suspension order dated 05.09.2014.

Vide order dated 05.09.2014, the petitioner herein was suspended from service and was also being paid 50% of the subsistence allowance.

It is argued by learned counsel for the petitioner that in terms of Rule 7.2 of Vol.I, Part-I of the Punjab Civil Services Rules, the petitioner is entitled to 75% subsistence allowance after completion of 06 months of the

suspension period. Since the same has not been given, the instant writ petition has been filed.

Learned counsel for the respondents-State submits that the petitioner has been reinstated in service w.e.f. 26th September, 2016, however, does not dispute the fact that the subsistence allowance, as per the rule, was not paid. He very fairly submits that in case the petitioner moves a representation for release of the said amount, the same will be considered in accordance with law.

I have heard learned counsel for both the sides.

In view of the above, I dispose of the writ petition by directing respondents to decide the representation of the petitioner as expeditiously as possible. The petitioner is directed to file his fresh representation along with certified copy of this order within two weeks from the date of receipt of certified copy of this order with the respondents. The respondents herein are directed to dispose of the said representation preferably within a period of one month thereafter from the date of receipt of the said representation along with certified copy of the order and in case, the petitioner is entitled to the subsistence allowance as sought by him, the same shall be released to the petitioner within a period of one month thereafter.

The petition stands disposed of accordingly.

February 09, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No