

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13241 of 2017

=====

Jitendra Kumar, son of Late Devendra Sharma, Resident of Village- Rampur,
Post- Lakhawar, P.S.- Ghoshi, District- Jahanabad.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Schedule Caste, Schedule Tribe Welfare Department,
Government of Bihar, Old Secretariat, Patna.
3. The Joint Secretary, Schedule Caste/Schedule Tribe Welfare Department,
Government of Bihar, Old Secretariat, Patna.
4. The Deputy Secretary, Schedule Caste/Schedule Tribe Welfare Department,
Government of Bihar, Patna.
5. The Director, SC/ST Welfare Department, Bihar, Patna.
6. The Deputy Director, SC/ST Welfare Department, Magadha Division, Gaya.
7. The District Magistrate, District- Nawada.
8. The District Welfare Officer, Nawada, District Nawada.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr. Uday Prakash Sharma, Advocate
For the Respondent/s : Mr. K.K. Singh, A.C. to SC-10

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 24-08-2018 Heard learned counsel for the petitioner and

learned counsel for the State.

Learned counsel for the State has raised the
objection that the order passed against the petitioner is
appealable one and instead of approaching the appellate
authority, the petitioner directly approached this Court.

In such view of the matter, the petitioner may file an
appeal against the impugned order. If such an appeal is filed, the



appellate authority will dispose of the same by a reasoned order after giving proper hearing to the petitioner within a period of four months from the date of filing of appeal by the petitioner.

At this stage, a complain has been made by learned counsel for the petitioner that the petitioner has not been paid the entire subsistence allowance during the period of suspension. If that be so, then this Court directs the respondent authorities to pay entire amount of subsistence allowance to the petitioner within a period of four weeks from the date of receipt/production of a copy of this order. In failure to make payment of subsistence allowance within the aforesaid period of four weeks, then the amount of subsistence allowance would carry interest at the rate of 9% per annum.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--

