

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17519 of 2018

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Rajendra Mishra, Son of Late Ram Sihasan Mishra, Resident of Village-
Badd, P.O.- Badd, Police Station- Karakat, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary General Administration, Bihar, Patna.
2. The Director, Integrated Child Development Service, Indira Bhawan, 2nd Floor, Boring Canal Road, Patna.
3. The Collector, Bhojpur Ara.
4. The Deputy Development Commissioner (D.D.C) Bhojpur.
5. The S.D.O. Piro Bhojpur
6. The C.D.P.O. Sahar Bhojpur.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Rajib Ranjan Jha
For the Respondent/s	:	Mr. Sheo Shankar Prasad- SC-8
		Mr. Anil Kumar, A.C. to S.C.-8

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, the petitioner has challenged the order of suspension, but during the pendency of this writ petition the punishment order dated 03.12.2018 has been passed, by which two punishments, namely, censure and stoppage of three increments have been inflicted upon the petitioner.

Grievance has been raised by the petitioner that he has not been paid the subsistence allowance. In terms of the provision of Rule-10 of the Bihar Government Servant



(Classification, control and Appeal) Rule, 2005, when a person put under suspension, the Government is supposed to pay 50% salary as a subsistence allowance, and as such this Court directs the respondents to release the subsistence allowance forthwith without any delay preferably within a period of four weeks from the date of receipt/production of a copy of this order. In failure to make release of the subsistence allowance within the aforesaid period, it will carry compound interest at the rate of 8% per annum.

The grievance has also been raised that in the order the place of posting has not been mentioned. Let the competent authority should decide the place of posting of the petitioner as early as possible.

So far the punishment order is concerned, the petitioner, if so advised, may challenge the same before the appropriate Court/authority/Forum.

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

(Shivaji Pandey, J)

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