

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 10007 of 2019

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Md Ayub, aged about 58 years, Gender – Male, Son of Late Md Shoaib
Resident of Village and Post Office- Hasanpur Barharwa, Police Station -
Bajpatti, Distt. Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Muzaffarpur
3. The D.C.L.R. East/West Muzaffarpur
4. The Treasury Officer, Muzaffarpur.
5. The Sub-Divisional officer, East/West Muzaffarpur.
6. The Additional Collector Muzaffarpur.
7. The Circle Officer, Kurhani, Distt- Muzaffarpur.
8. The Circle Officer, Minapur Distt- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Shamimul Hoda
For the Respondent/s : Mr.Md. Khursid Alam (Aag12)

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 19-09-2019

Heard learned counsel for the petitioner.

2 The short grievance raised by the petitioner is non-payment of subsistence allowance to the petitioner on account of his suspension by order of the District Magistrate dated 16.11.2018. The petitioner has made an application in this regard before the Collector, Muzaffarpur, copy of which is appended to the writ petition (Annexure 5).



3 Non-payment of subsistence allowance during the period of suspension cannot be countenanced. The suspension, in the circumstances, would amount to a penalty itself on account of non-payment of subsistence allowance.

4 None appears on behalf of the State.

5 In the aforesaid circumstances, the writ petition is disposed of with a direction to respondent No 2 to consider the petitioner's application (Annexure 5) and ensure payment of due and admissible amount of arrears of subsistence allowance including the current subsistence allowance in accordance with law within a period of one week from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2019
Transmission Date	NA

