

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1873 of 2018

In
Civil Writ Jurisdiction Case No.3283 of 2018

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Binod Kumar Son of late Bindhyachal Prasad, Resident of Road No. 22, Plot No. 144, Sri Krishna Nagar, P.S. Buddha Colony, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through Sri S. K. Diwedi, the Director General Of Police, Bihar, Patna Bihar
2. Sri Pankaj Darar Son of not Known, the Inspector General of Police, Darbhanga Range. Bihar
3. Binod Kumar Son of Not Known the Deputy Inspector of Police, Darbhanga Range. Bihar
4. Deepak Barnwal Son of not Known, the Superintendent of Police, Madhubani
5. Sri Keshaw Jha Son of not Known Reserve Sub-Inspector, Police Line Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Prasad
For the Opposite Party/s : Mr.Parth Sarthi

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 13-02-2019 The learned counsel for the opposite parties has filed a show cause wherein it has been stated that since the final order in the ongoing departmental proceeding could not be passed, the order of suspension of the petitioner has already been revoked.

Per contra, the learned counsel for the petitioner submits that it is true that the order of suspension has been revoked, but still some amount under the head of subsistence allowance is to be paid inasmuch as admittedly beyond the period of one year of suspension, the petitioner would be entitled to 75% of pay as subsistence allowance, hence, the



opposite parties be directed to pay to the petitioner, subsistence allowance @ 75% of his pay for the period which has exceeded the period of suspension of one year.

Accordingly, the present contempt petition is disposed of with a direction to the opposite parties to pay the outstanding subsistence allowance as per the Rules and in case the period of suspension has been exceeded one year, appropriate amount of subsistence allowance be paid as per rules within a period of four weeks from today.

With the aforesaid direction, the present contempt petition is disposed of.

(Mohit Kumar Shah, J)

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