

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 4624 of 2019**

Jagdish Prasad Kashyap S/o Late Baisakhu Kashyap Aged About 57 Years R/o P H. No. 34 Village Towra Tahsil And District Bilaspur Chhattisgarh, At Present Bhartiya Nagar Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner Land Record, Indrawati Bhawan, Block- B, First Floor, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Through Collector Office Of The Collector, Land Record Branch, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Respondents**

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| For Petitioner | : | Shri Vivek Verma, Advocate. |
| For State      | : | Ms. Smita Jha, PL           |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**26/06/2019**

1. The relief sought for in the present writ petition is for a direction to the respondent to release the subsistence allowance payable to the petitioner arising out of the suspension order dated 12.05.2016.
2. Perusal of the record show that the petitioner has been placed under suspension on account of petitioner being involved in a criminal case under Section 7, 13 (1)(d), 13(2) of the PC Act. According to the petitioner he has not been paid subsistence allowance till November, 2017 and thereafter it has been abruptly stopped. Counsel for the petitioner fairly submits that in the criminal case that has been

initiated against the petitioner he has been convicted and has been sentenced to undergo RI of 4 years with a fine of Rs. 25,000/- and with default stipulation. However, according to the petitioner he has not been removed from employment and he continues to remain under suspension. He has also made a representation in this regard to the higher authorities for release of subsistence allowance.

3. Given the aforesaid factual matrix of the case as it stands, let representation which the petitioner had preferred by Annexure P-3 dated 19.01.2018 and again on 16.03.2018 be decided at the earliest preferably within a period of two months in accordance with law.
4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-  
**(P. Sam Koshy)**  
**Judge**

Rohit