

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.6210 of 2019

ORDER:

This Writ Petition is filed challenging the suspension order dated 16-10-2018 issued by 5th respondent on the ground that the respondents are not paying subsistence allowance and are continuing the petitioner under suspension.

2. The petitioner contends that he is working as Deputy Tahsildar and owing to various reasons, he had to apply for leave on 21-05-2018 and the same was sanctioned. Thereafter, the petitioner met with an accident and he had to extend his leave. The respondents instead of extending the leave, placed him under suspension vide orders dated 16-10-2018 on the ground that he had absented himself willfully from duties. The petitioner further contended that though the respondents have placed him under suspension vide orders dated 16-10-2018, but they are not paying subsistence allowance which is contrary to the Rules. Therefore, he contended that appropriate orders be passed in the Writ Petition directing the respondents to pay subsistence allowance to him.

3. Learned Government Pleader appearing for the respondents submits that the respondents will consider the case of the petitioner for payment of subsistence allowance in accordance with Rules, if not already paid.

4. This Court, having considered the submissions made by the counsel for the both parties, is of the view that the Writ Petition can be disposed of directing the petitioner to submit fresh representation seeking subsistence allowance, within a week from the date of receipt of a copy of this order, and upon such representation being received, the respondents shall consider the said representation and pass appropriate orders within two weeks thereafter and grant subsistence allowance, if not already paid.

5. With these observations, the Writ petition is disposed of.
No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 26-03-2019
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