

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21672 of 2019

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Arun Kumar, son of Sri Uma Shankar Sah, resident of Village- Kodariya Abhi, Post Office- Madhurapur, Police Station- Phenhara, District- East Champaran, Motihari, Bihar – 845430.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resource Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, East Champaran, Motihari.
5. The Regional Education Deputy Director, Trihut Division, East Champran, Motihari.
6. The District Education Officer, East Champaran, Motihari.
7. The District Programme Officer (Establishment), East Champaran, Motihari.
8. The Sub-Divisional Officer, Phenhara, East Champaran, Motihari.
9. The Secretary, Block Teacher Niyojan Samitee-cum-Block Development Officer, Phenhara, East Champaran, Motihari.
10. The Block Education Officer, Phenhara, East Champaran, Motihari.
11. The Junior Engineer, Fenhara, Bihar Education Project. East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC-16)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2020 The petitioner is facing criminal prosecution and

has also been suspended in contemplation of a

departmental proceeding.

The suspension order itself indicates that the



petitioner shall be given subsistence allowance during the period of suspension. The proceeding appears to have begun as the conducting officer also has been named.

The learned counsel for the petitioner has submitted that the petitioner has yet not been given his subsistence allowance.

This is not an acceptable position.

The concerned respondent shall be under an obligation to ensure that the petitioner is paid his subsistence allowance during the period of his suspension in accordance with the rules of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 and Rule 10 of the Block Teachers Appointment Rules of 2012.

The departmental proceedings against the petitioner shall also be concluded as early as possible, preferably within a period of six months of the passing of this order.



The petition stands disposed off with the
aforesaid observation/direction.

(Ashutosh Kumar, J)

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