

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24609 of 2019

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Sushil Kumar Choudhary Son of Late Satya Narain Choudhary Resident of
Ward No.15, Magardahi, P.S.- Samastipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Muzaffarpur.
4. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur.
5. The Senior Superintendent of Police, Muzaffarpur.
6. The Superintendent of Police, Sitamarhi.
7. The Superintendent of Police, Vaishali at Hazipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prashant Sinha, Adv.
For the Respondent/s : Mr.Ravi Verma, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 03-03-2021 The present writ petition has been filed primarily for directing the respondents-State to enhance the amount of subsistence allowance, being granted to the petitioner, on account of the fact that the period of suspension of the petitioner has exceeded 12 months.

At the outset, the learned counsel for the Respondent-State, Sri Ravi Verma (AC to GP-4), has submitted that the Senior Superintendent of Police, Muzaffarpur, has issued an order dated



01.03.2021 whereby and whereunder the amount of subsistence allowance has been increased from 50% to 75% with effect from the expiry of 12 months from the date of suspension. It is further submitted that the monetary benefits arising out such increase in the rate of subsistence allowance shall be paid within a period of four weeks from today.

At this juncture, the learned counsel for the petitioner submits that the petitioner has also challenged the memo of charge etc., hence, it is submitted that the disposal of the present writ petition may not effect the other grievances of the petitioner, as vented out in the present writ petition.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with a direction to the Senior Superintendent of Police, Muzaffarpur, to comply with its own order dated 01.03.2021, as aforesaid, by making payment of the arrears amount of subsistence allowance to the petitioner within a



period of four weeks from today, failing which he shall not draw his salary.

It is clarified that the petitioner would be at liberty to take such other points as are available to the petitioner, for the purposes of assailing the disciplinary proceedings, at an appropriate moment, by filing appropriate petition.

(Mohit Kumar Shah, J)

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