

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.2307 of 2016**

Dhaneshwar Prasad Sahu, aged about 55 years, son of Late K.R.Sahu, occupation – Service (Under suspension), Asst. Development Extension Officer, Janpad Panchayat – Fingeshwar, Distt.Gariaband, (CG) R/o Beside Uttam Fuels, Tumgaon Road, Mahasamund (CG)

----- **Petitioner**

Versus

1. The State of Chhattisgarh, through the Secretary, Department of Panchayat and Rural Development, New Mantralaya, Mahanadi Bhawan, New Raipur (CG)
2. The Collector, Distt.Gariaband (CG)
3. The Zila Panchayat, Gariaband, through Chief Executive Officer, Revenue Distt. Gariaband (CG)
4. The Sub Divisional Magistrate, Gariaband Revenue Distt. Gariaband (Inquiry Officer)
5. The District Rural Development Abhikaran, Gariaband, through its Additional Chief Executive Officer, Distt.Gariaband (CG)
6. The Janpad Panchayat – Mainpur, Distt. Gariaband, through its Chief Executive Officer
7. The Janpad Panchayat – Fingeshwar through its Chief Executive Officer, Distt.Gariaband (CG)

----- **Respondents**

For Petitioner	:	Mr.Achyut Tiwari, Advocate
For Res.No.1,2&4/State	:	Mr.Sanjay Pathak, P.L.
For Res.No.3&7	:	Mr.Vinay Pandey, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/06/2021

1. At the outset, learned counsel for the petitioner would submit that now the petitioner's suspension has been revoked and he is continuing in Janpad

Panchayat, Mainpur. However, during suspension period, he was only given 50% subsistence allowance, whereas he was entitled for 75% subsistence allowance of the total salary. He would further submit that according to Fundamental Rules, for first six months, 50% subsistence allowance has to be paid and thereafter 75% subsistence allowance has to be paid, which has not been paid to the petitioner.

2. Be that as it may, the petitioner is at liberty to make a representation to the concerned competent authority and the competent authority will proceed to consider the case of the petitioner for subsistence allowance as per Fundamental Rules and decide the representation within 30 days from the date of its receipt.
3. With the aforesaid direction / observation, the writ petition finally stands disposed of. No cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-