

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4975 of 2020**

1. Ishwar Datt Xalxo S/o Late Nirdosh Xalxo Aged About 54 Years Principal, Government Boys Higher Secondary School, Bagicha (Suspended), Presently Posted In The Office Of Divisional Joint Director, Education Department, Surguja At Ambikapur, District- Surguja (Chhattisgarh), R/o Near Ram Krishna Ashram, Vidyalay Mod, Bagicha, district Jashpur (Chhattisgarh)

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary, School Education, Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur, Atal Nagar, Raipur, District- Raipur (Chhattisgarh)
2. District Education Officer Jashpur, District- Jashpur (Chhattisgarh)
3. Block Education Officer, Bagicha, District- Jashpur (Chhattisgarh)
4. Principal Government Boys Higher Secondary School, Bagicha, District- Jashpur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. A.K. Prasad, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.01.2021**

1. The present writ petition has been filed primarily for a direction to the respondent to release subsistence allowance to the petitioner from the period he was placed under suspension in June 2020. In addition, there is also a claim for direction to the respondents to ensure that the arrears of salary as has been ordered by the authorities concerned have till date not been released to the petitioner for the period between August 2017 to June 2019.

2. That as regards the subsistence allowance is concerned the State Counsel submits that the same shall be released to him at the earliest in accordance with law.
3. In view of the same, there is no requirement of a specific order in this regard. The respondents are expected to ensure that the petitioner whose is placed under suspension is paid his subsistence allowance regularly including the arrears from the period he was placed under suspension in June 2020.
4. Let this exercise be done within a period of 60 days from the date of receipt of copy of this order.
5. As regards, the arrears of salary part is concerned, the State Counsel has fairly conceded the fact that from the pleading there is already an order issued by the District Education Officer to ensure that the amount is released at the earliest and the same shall also be done in accordance with law.
6. Given the fact that so far as the arrears of salary for the period between August 2017 to June 2019 is concerned in-terms of the order of the Commissioner Sarguja Sambhag dated 10.06.2019 and also the order passed by the District Education Officer on 17.02.2020. The respondents are expected to ensure that the unpaid salary part for the aforementioned period of August 2017 to June 2019 is also cleared within the aforementioned stipulated period of 60 days.
7. With the aforesaid observation, the petition stands disposed of.

Sd/-

**P. Sam Koshy
Judge**