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22.02.2022  
d.p.

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A 18949 of 2021  
(Via Video Conference)**

**Md. Sadique @ Sanjoy Paul  
-versus  
State of West Bengal & Ors.**

**Mr. Swagata Datta.  
...For the Petitioner.**

**Mr. Bhaskar Prasad Vaisya,  
Mr. Nilay Baran Mondal.  
...For the DPSC, Purulila.**

**Mr. Supriyo Chattopadhyay,  
Mr. Biswarup Biswas.  
...For the State.**

The petitioner is a primary school teacher who has been suspended by the order of the Chairman/Secretary, District Primary School Council, Purulia on and from 2<sup>nd</sup> April, 2014 until further order.

The order of suspension mentions that the teacher would get subsistence allowance for the period of suspension on production of non-employment certificate.

There are several criminal cases pending against the petitioner.

The writ petition was filed by the petitioner on 26<sup>th</sup> November, 2021 alleging that he was not paid his subsistence allowance.

Learned advocate appearing for the District Primary School Council, Purulia submits, upon instructions, that the petitioner regularly got is subsistence allowance and he received the same upon putting his signature in the receipt copy.

A copy of the document showing signature of the petitioner at the time of collecting his subsistence allowance till December 2021 has been handed over in Court by the learned advocate representing the Council.

In view of the aforesaid evidence that the petitioner received his subsistence allowance on regular basis, no relief can be granted in favour of the petitioners in the present writ petition.

The writ petition fails and is hereby dismissed.

The receipt showing payment of subsistence allowance to the petitioner handed over by the learned advocate appearing for the Council in Court today is taken on record.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**( Amrita Sinha, J.)**