

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8758 of 2022

Israel Chhatra

..... Petitioner
Mr.Lalit Sahu, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr. P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08 .04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel
3. The present writ application has been filed by the Petitioner seeking for a direction to the Opposite Party Nos. 2 & 3 to consider the repr3esetation of the Petitioner dated 03.01.2022 under Annexure-4 and release the subsistence allowance in favour of the Petitioner within a stipulated period.
4. It is submitted by the learned counsel for the Petitioner that although the Petitioner has been placed under suspension, but no subsistence allowance payable under the Service Rule has yet been paid to the Petitioner for which he is facing financial difficulties. It is also submitted by the learned counsel for the Petitioner that subsistence allowance is a matter of right of an employee, who is placed under suspension and it is his only source of income during the period of suspension. Therefore, the subsistence allowance is

essential for survival of the employee, who is placed under suspension. He also submits that the Petitioner has submitted a representation highlighting his grievance before the Director of Nursing, Odisha, Opposite Party No.2 on 03.01.2022 under Annexure-4 series. It is stated that the same has not been considered by the Opposite Party No.2 as of now.

5. Considering the submissions, the writ application is disposed of at the stage of admission with a direction to the Opposite Party No.2 to consider the representation of the Petitioner in accordance with law within a period of four weeks from the date of production of certified copy of this order. The Opposite Party No.2 is also directed to consider and dispose of the representation of the Petitioner strictly in accordance with law by passing a reasoned and speaking order. The decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of one week thereafter.

6. With the aforesaid observation the writ application stands disposed of

7. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge