

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7672 of 2022

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Rajesh Kuamr Son of Sri Narayan Choudhary Resident of Village-Parariya,
P.S.-Banka, District- Banka. Petitioner

Versus

1. The State of Bihar Through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Secretary, Water Resources Department, Bihar, Patna.
3. The Additional Secretary, Water Resources Department, Bihar, Patna.
4. The Joint Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary to the Government, Water Resources Department, Bihar, Patna.
6. The Engineer-in-Chief, Head Quarter, Water Resources Department, Bihar, Patna.
7. The Chief Engineer, Irrigation Creation, Water Resources Department, Saharsa.
8. The Supetintending Engineer, Irrigation Creation Circle, Purnea.
9. The Executive Engineer, Water Resources Department, Irrigation Division, Bathnaha, District-Araria.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Sanjay Kumar, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date : 28-04-2023

The hard copy of the writ application has been filed.
Learned counsel submits that with the filing of the hard copy, the defects stand removed.

2. Heard learned counsel for the petitioner and the State.

3. At this stage, the only grievance of the petitioner is that the petitioner remained under suspension for a period of approximately four years and as per the sub-rule (1) of Rule 10 of



the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 (hereinafter referred to as “the Service Rules”) after a period of one year, the petitioner would have been entitled for 75% of the salary as subsistence allowance which has not been paid.

4. Learned counsel for the State submits that if the petitioner files a representation in this regard, the same will be considered by the competent authority in accordance with law.

5. Having regard to the submissions noted hereinabove, this Court grants liberty to the petitioner to file a representation raising his grievance before the competent authority. If such representation is filed within a period of one month from today, the same shall be considered by the competent authority in accordance with the Service Rules and a reasoned order thereon shall be passed.

6. Needless to say that in case, the petitioner is found entitled for the enhanced amount of subsistence allowance, the same shall be made available to him within one month.

7. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	28-04-2023
Transmission Date	

