

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7698 of 2022

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Sudhir Kumar son of Late Mathura Das, resident of Village- Block No.- 16,
Quarter No. 555, L.I.G. Hanuman Nagar P.S.- Patrakar Nagar, District- Patna.
... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Patna.
2. The Secretary, Water Resources Department, Bihar, Patna.
3. The Joint Secretary (Management), Water Resources Department, Bihar, Patna.
4. The Additional Secretary, Water Resources Department, Bihar, Patna.
5. The Dy. Secretary to the Government Water Resources Department, Bihar, Patna.
6. The Engineer-in- Chief, (Headquarter), Water Resources Department, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Vijay Kumar Verma, AC to GA-2

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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.

(Rajeev Ranjan Prasad, J)

lekhi/-

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

