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**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT  
BILASPUR (CHHATTISGARH)**

**WRIT PETITION NO. 2344/2002**

**PETITIONERS**

- : 1. STATE OF CHHATTISGARH,  
THROUGH : DIRECTOR GENERAL,  
POLICE, HEAD QUARTER, RAIPUR,  
DISTRICT - RAIPUR  
(CHHATTISGARH).
2. INSPECTOR GENERAL OF POLICE,  
SPECIAL ARMED FORCE  
(CHHATTISGARH ARMED POLICE)  
32 BUNGALOW, BHILAI, DISTRICT  
- DURG (CHHATTISGARH).
3. DEPUTY INSPECTOR GENERAL OF  
POLICE, SPECIAL ARMAL FORCE  
(CHHATTISGARH ARMED POLICE)  
32, BUNGALOW, BHILAI, DISTRICT  
- DURG (CHHATTISGARH).
4. COMMANDANT, FIRST BATTALION,  
CHHATTISGARH ARMED POLICE,  
BHILAI, DISTRICT - DURG  
(CHHATTISGARH).

P.R. No. 2372/02  
Presented by Shri R. K. Behera  
dated 28.4.02



**VERSUS**

**RESPONDENT**

: DUDHNATH, AGED ABOUT 38  
YEARS, S/O. LATE MANSHARAM,  
RETIRED CONSTABLE (G.D.) NO.  
213, RESIDENT OF VILLAGE  
KATUL BOD, NEAR SAKET  
COLONY, OPPOSITE LINE, BHILAI  
- 490022, DISTRICT - DURG  
(CHHATTISGARH).

**WRIT PETITION UNDER ARTICLE 227 OF THE CONSITUTION  
OF INDIA**

On behalf of the petitioners it is respectfully submitted as under:-

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## आदेश पत्रक

मामला क्रमांक W.P.No. 2844/सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>14-5-2004</u></p> <p>Shri U.N.S. Deo, Govt. Advocate for the State/petitioners.</p> <p>Shri Vivek Sharma, Advocate for respondent.</p> <p>Heard.</p> <p>This petition under Article 227 of the Constitution of India has been preferred being aggrieved by the order dated 27-8-2002 passed by the State Administrative Tribunal whereby the Administrative Tribunal directed the petitioner to pay the subsistence allowance from 25-7-2000 to 28-4-2001 within a period of two months, if the respondent has not been paid the subsistence allowance for the above period.</p> <p>Counsel for both the parties submit that subsistence allowance for the period from 24-9-1999 to 25-7-2000 has already been paid.</p> <p>Shri Deo, learned Govt. Advocate has not been able to point out any illegality nor any infirmity in the order. More over it has been made clear in the order that if the</p>	

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[पीछे देखिये]

## आदेश पत्रक

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>subsistence allowance has not been paid for the said period, then he be paid. The order was passed after hearing counsel for both the parties and reply was not filed on behalf of the petitioners herein.</p> <p>This writ petition has been filed against an interim order, when the matter is still pending. From the impugned order it appears that opportunity for filing reply was given by the Tribunal but reply was not filed. On perusal of record, it is noted that on 23-6-2003 when the matter was listed before this Court, the Govt. Advocate submitted that the suspension period was from 24<sup>th</sup> November 1999 to 25<sup>th</sup> July 2000 instead of period from 25<sup>th</sup> July 2000 to 28<sup>th</sup> April 2001.</p> <p>Having thus considered, in the opinion of this Court, no case for interference in the impugned order dated 27-8-2002 passed by the Tribunal in exercise of jurisdiction under Article 227 of the Constitution of India is made out.</p> <p>The petition fails and same is dismissed with Costs.</p>	

Sd/-  
Acting Chief Justice

Sd/-  
L.C. Bhadoo  
Judge

Patthar  
14-7-06