

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8067 of 2012**

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1. Kedar Prasad @ Kedar Prasad Singh Son Of Lat Keshar Prasad Singh  
Assistant Teacher, Primary School, Khojakipur, Sarmera, District Nalanda

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Nalanda
3. The District Superintendent Of Education, Nalanda
4. The District Education Officer, Nalanda
5. The Sub-Divisional Officer, Biharsharif, Nalanda
6. The Sub-Divisional Education Officer, Biharsharif, Nalanda

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad  
For the Respondent/s : Mr. Parth Sharthi Sc10

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**CORAM: HONOURABLE MR. JUSTICE JAYANANDAN SINGH**  
**ORAL ORDER**

2      30-04-2012      Admittedly petitioner was taken into custody on account of criminal charge against him on 28.02.2009. On that account he was put under suspension. Subsequently, he was released on bail and thereafter his suspension has been withdrawn with effect from 02.12.2009.

Petitioner has filed this writ application for a direction to the respondents for payment of salary of the period. But learned counsel for the petitioner fairly agrees that the petitioner may not be entitled for full salary of the period. He submits that, however, he should be paid his subsistence allowance for the period during which he was under suspension.

Learned counsel appearing for the respondents agrees that petitioner will be entitled to it.

In the circumstances, this writ application is disposed of with a direction to the respondents to grant the subsistence allowance of the petitioner of the period of his suspension and pay the same in accordance with law, positively within one month from the date of receipt/production of a copy of this order.

Arvind/-

**(Jayanandan Singh, J)**