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**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE VIVEK RUSIA  
ON THE 18<sup>th</sup> OF MARCH, 2024**

**WRIT PETITION No. 30781 of 2023**

**BETWEEN:-**

**AMBARAM PATIDAR S/O BHERULAL PATIDAR, AGED  
ABOUT 59 YEARS, OCCUPATION: LECTURER R/O 42  
SHANTANU VIHAR STATIONROAD MANDSAUR DISTT.  
UJJAIN (MADHYA PRADESH)**

**.....PETITIONER**

**(BY MS. BHAKTI VYAS, ADVOCATE)**

**AND**

- 1. THE STATE OF MADHYA PRADESH PRINCIPAL  
SECRETARY DISTRICT EDUCATION  
DEPARTMENT MANTRALAYA VALLABH BHAWAN  
BHOPAL (MADHYA PRADESH)**
- 2. JOINT DIRECTOR PUBLIC EDUCATION  
DEPARTMENT UJJAIN DISTRICT (MADHYA  
PRADESH)**
- 3. DIRECTORATE PUBLIC EDUCATION  
DEPARTMENT MANDSAUR (MADHYA PRADESH)**
- 4. DISTRICT EDUCATION OFFICER MANDSAUR  
DIST UJJAIN (MADHYA PRADESH)**
- 5. PRINCIPAL SH..BA..UMAVI NO.2 MANDSAUR  
(MADHYA PRADESH)**

**.....RESPONDENTS**

**(BY SHRI RAJWARDHAN GAWDE, GOVERNMENT ADVOCATE)**

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*This petition coming on for admission this day, the court passed the  
following:*

**ORDER**

The petitioner has filed the present petition under Article 226 of the

Constitution of India seeking direction to the respondents to pay subsistence allowance as he is under suspension.

02. Vide order dated 18.03.2020, the petitioner was placed under suspension in contemplation of Departmental Enquiry. During the pendency of the Departmental Enquiry, he was being paid the subsistence allowance but all of sudden, the same has been stopped w.e.f. 01.05.2022, hence, the petitioner approached this Court.

03. The respondents filed a reply by submitting that vide order dated 30.10.2023, the petitioner has been terminated from service, therefore, no question for payment of any allowances arises.

04. It is correct that after the date of termination, the petitioner is not entitled for subsistence allowance, but from 01.05.2022 till the date of order of termination, the subsistence allowance was liable to be paid to him. Accordingly, the same be paid to the petitioner within a period of 60 days from today.

05. With the aforesaid, Writ Petition stands allowed.

**(VIVEK RUSIA)**  
**JUDGE**

Ravi