

WPS No. 4399 of 2020



CGHC010238422020



2026:CGHC:35584

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4399 of 2020

- Kumbhkaran Verma S/o Kumbhkaran Verma S/o Sagun Ram Verma, Aged About 55 Years, R/o Near Mata Kunti School, Mowa, Lakshmi, Raipur Chhattisgarh.

... Petitioner

versus

1. State of Chhattisgarh, Through The Secretary, Department of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh.
2. Principal Secretary, Department of Finance, Mahanadi Bhavan, Atal Nagar, Raipur Chhattisgarh.
3. Joint Director And Superintendent, Dr. Bhim Rao Ambedkar Memorial Hospital Raipur Chhattisgarh.
4. The Joint Director, Treasury Accounts And Pension, Raipur Chhattisgarh.
5. Drawing And Disbursement Officer, Local Office, Dr. Bhim Rao Ambedkar Memorial Hospital, Raipur Chhattisgarh.

... Respondents

For Petitioner	:-	Mr. Akash Kumar Kundu, Advocate.
For State	:-	Mr. H.A.P.S. Bhatia, Panel Lawyer.

ANKIT
KUMAR
SINGH

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by ANKIT
KUMAR SINGH

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/08/2026**

1. This petition has been filed against the orders of recovery dated 09.04.2020 & 16.04.2020 (Annexure P/1) whereby, respondent No.3 had directed to recover the amount to the tune of ₹1,03,650/- on account of excess payment.
2. Mr. Akash Kumar Kundu, learned counsel for the petitioner, would submit that the impugned recovery orders are bad in law as the petitioner was not afforded an opportunity of hearing before passing the impugned order, therefore, the impugned recovery orders (Annexure P/1) are liable to be set aside.
3. Mr. H.A.P.S. Bhatia, learned State counsel, would oppose the prayer made by learned counsel for the petitioner and support the impugned recovery orders.
4. I have heard learned counsel for the parties, considered their rival submissions made herein above and gone through the records precisely.

5. Since there is a violation of principles of natural justice as the impugned recovery orders (Annexure P/1) were passed without affording opportunity of hearing to the petitioner, the impugned recovery orders (Annexure P/1) are liable to be and is hereby set aside. However, respondents / competent authority is at liberty to pass fresh order after affording opportunity of hearing to the parties.
6. Consequently, this writ petition is allowed to the extent indicated herein above.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit