

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1180 OF 2016**

Pannalal Sen S/o Kamta Prasad Sen, Aged About 56 Years Assistant Grade I,
R/o New Sabji Mandi, Ward, No. 14, Manendragarh, Civil & Revenue District
Kroea Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya, Naya Raipur, Civil & Revenue District Raipur Chhattisgarh
2. The Commissioner, Higher Education Department, Indrawati Bhawan, Capital Complex, Naya Raipur, Civil & Revenue District Raipur Chhattisgarh
3. The Principal, Government Naveen Mahavidyalaya, Odgi, Surajpur, District Surajpur Chhattisgarh
4. The Principal, Government Lahari College, Chirimiri, District Korea Chhattisgarh
5. Dr. B.K. Dahariya, (Principal) Government Naveen Mahavidyalaya Odgi, District Surajpur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Keshav Dewangan, Advocate
For Respondent/State	:	Mr. S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****25/07/2016**

1. The petitioner's grievance is that after joining in the month of November, 2015 on the transferred place, his salary has not been paid.
2. Learned State counsel submits that there are serious allegation against the petitioner that while proceeding on transfer, the petitioner unauthorizedly carried away with him the official records and there are

allegation that the petitioner while being posted at Chirmiri did not maintain the cash book. He further submits that letters have been issued to the petitioner to deposit the record. A report has also been lodged in the Police Station.

3. Unless there is an order of recovery, salary of the petitioner should not have been withheld. It is open for the respondents to take appropriate criminal or departmental action against the petitioner in accordance with law. However, if the petitioner is working on the post, his salary should not have been withheld.

4. Learned State counsel also submits that salary bill of the petitioner has been prepared and submitted for payment of salary for the period from 9.11.2015 to April, 2016 before Treasury Office.

5. In view of the aforesaid submission, subject to liberty as stated herein-above, the salary of the petitioner should be released immediately for the period he worked.

6. With the aforesaid observation, this petition stands finally disposed of.

Sd/-

(Manindra Mohan Shrivastava)
Judge