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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 651 of 2015**

Umesh Kumar Thakur S/o Isharram Thakur, aged about 47 years, Occupation Secretary of Gram Panchayat Dodki, Resident of village Baliyara, Tahsil Dhamtari, Police Station Arjuni Civil and Revenue District Dhamtari Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh through its Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Lokpal, Mahatma Gandhi Narega District Dhamtari, Chhattisgarh office at Room No. 62, Collectorate, Dhamtari, Chhattisgarh.
3. Dharendra Kumar Sinha son of Ghasiram Sinha, resident of village Dodki, PS Arjuni, Tahsil and District Dhamtari, Chhattisgarh.

---- Respondents

For Appellant	: Shri D.R.Minj, Advocate.
For State/Respondent	: Shri UNS Deo, Government Advocate.
For Respondent No. 3	: Shri Kunal Das, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment on Board**Per Navin Sinha, Chief Justice****11/01/2016**

1. The present appeal arises from a common order dated 23.11.2015 dismissing Writ Petition (C) No. 1658 of 2014 and Writ Petition (C) No. 1482 of 2014.
2. We have already dismissed Writ Appeal No. 624 of 2015 arising out of Writ Petition (C) No. 1658 of 2014 on 4.1.2016.
3. Suffice it to observe that the present Appellant is stated to be the Panchayat Secretary while the Appellant in Writ Appeal No. 624 of 2015 was the Sarpanch. Certain complaints were received with regard to utilization of public

funds leading to a complaint before the Lokpal who recommended institution of a First Information Report and also recovery by administrative methods.

4. In so far as the present Appellant is concerned, partial relief has been granted on the aspect of recovery through administrative means on the ground that the Lokpal did not hear the present Appellant before making his final recommendation.

5. A limited grievance of the Appellant in this appeal is that no FIR could have been recommended against him without an opportunity of defence, has already been considered and rejected by us based on similar pleas on behalf of the Sarpanch in Writ Appeal No. 624 of 2015. There is no occasion for us to arrive at any different conclusion.

6. For reasons already discussed in order dated 4.1.2016 in Writ Appeal No. 624 of 2015, we do not find any merit in the present appeal also.

7. The appeal is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE