

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4283 of 2016

- Umashankar Shukla S/o Late Shivdulare Shukla, Aged About 52 Years Posted As Area Assistant, Paddy Collection Centre, Bharnibhatha, Chhattisgarh State Cooperative Marketing Federation Limited, Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Cooperative Societies, Mahanadi Bhawan, Mantralaya, New Raipur, Post Office & Police Station Naya Raipur, District Raipur (Chhattisgarh)
2. Chhattisgarh State Cooperative Marketing Federation Limited, The Managing Director, Chhattisgarh, Chhattisgarh State Cooperative Marketing Federation Limited, 880, Civil Lines, Head Office, Raipur (Chhattisgarh)
3. The Secretary, Chhattisgarh State Cooperative Marketing Federation Limited, 880, Civil Lines, Head Office, Raipur (Chhattisgarh)
4. The Manager (Establishment), Chhattisgarh State Cooperative Marketing Federation Limited, 880, Civil Lines, Head Office, Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. V.R. Tiwari, Advocate
For State /	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate
Respondent No.1		on advance copy
For Corporation /	:	Mr. Akash Pandey, Advocate.
Respondent Nos. 2 to 4		

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

01/09/2016

1. By filing this petition, the petitioner has challenged the order dated 29.02.2016, by which an order of recovery has been issued against the petitioner.
2. Learned counsel for the petitioner submits that though reply to show cause notice has been submitted by the petitioner, his reply has not been properly considered and the explanations offered to shortage, if any, have been ignored and the order impugned has been

passed. Learned counsel for the petitioner, however, could not dispute that there exists an alternative remedy of Statutory Appeal.

3. In view of aforesaid circumstances, I am not inclined to interfere with the order impugned as the petitioner has alternative remedy to seek redressal of the grievance.
4. The petition is accordingly disposed off with liberty to file appeal against the impugned order, under the provisions of the applicable Rules.
5. As far as the petitioner's apprehension that the appeal shall be dismissed as barred by its limitation, the law will take its own course because the petitioner may file application for condonation of delay in filing the appeal. If such application is filed, it is presumed that the appellate authority shall consider the same also in accordance with law.

Sd/-
(Manindra Mohan Shrivastava)
Judge