

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 232 of 2017**

1. Aniruddha Lal Verma S/o Uday Ram Verma, Aged About 65 Years R/o Village Parsada (Raymond), Tahsil Akaltara, District Janjgir Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. The Commissioner, Bilaspur Division Bilaspur, District Bilaspur, (Chhattisgarh)
3. The Collector, Janjgir, District Janjgir Champa, (Chhattisgarh)
4. The Sub Divisional Officer, Rural Engineering Services Akaltara, District Janjgir Champa, (Chhattisgarh)
5. The Chief Executive Officer, Zila Panchayat, Janjgir, District Janjgir Champa, (Chhattisgarh)
6. The Chief Executive Officer, Janpad Panchayat Akaltara, District Janjgir Champa, (Chhattisgarh)
7. The Sub Engineer, Rural Engineering Services, Akaltara, District Janjgir Champa, (Chhattisgarh)
8. R.P. Sahu, Presently Posted As Sub Divisional Officer, Rural Engineering Services Akaltara, District Janjgir Champa, (Chhattisgarh)
9. K.K. Paikra, Presently Posted As Sub Engineer, Rural Engineering Services Akaltara, District Janjgir Champa, (Chhattisgarh)

10. Smt. Rambha Verma, The Ex Sarpanch, Gram Panchayat Parsada, Janpad Panchayat & Tahsil Akaltara, District Janjgir Champa, (Chhattisgarh)

---- Respondent

For Petitioner

Shri Mateen Siddiqui, Advocate

For Respondent/State

Shri U.N.S. Deo, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/02/2017

1. Petitioner and other villagers made a complaint before the Commissioner, Bilaspur Division, during Jandarshan Programme on 28-12-2015 alleging misappropriation of public funds by the respondents No.8 to 10 while raising construction of CC Road, Aanganbadi Building with boundary wall and moolboot amount, pursuant to which the Commissioner directed an enquiry wherein a joint team of Nayab Tahsildar, Akaltara and two Sub Engineers, Janpad Panchayat, Akaltara, made a report after spot inspection vide Annexure – P/6 finding that the private respondents have committed misappropriation of Rs.17,35,401/-, however, despite the said finding and despite the petitioner having represented the matter before the respondents appropriate consequential action is not taken against the guilty persons.

2. Considering the report (Annexure – P/6), it appears, *prima facie*, that there is some element of truth in the allegation made by the petitioner, therefore, the writ petition is disposed of with a direction to the Secretary to the Government of Chhattisgarh, Department of Panchayat & Rural Development, to consider the petitioner's representation and the report (Annexure – P/6) and, thereafter, if it is found that the respondents No.8 to 10 have committed misappropriation of public funds, appropriate action both departmental and criminal be initiated against the said respondents in accordance with law. It will remain open for the Secretary to direct another enquiry by a team of senior officers, in his discretion.
3. It is made clear that if fresh enquiry is directed by the Secretary, opportunity of hearing shall be afforded to the respondents No. 8 to 10.
4. Let the entire proceedings be completed within a period of three months and thereafter appropriate action be taken in accordance with law.

Sd/-

Judge
Prashant Kumar Mishra

Gowri