

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 1531 of 2016**

1. Laxmi Prasad Paikra S/o Late Shri Chhatrapal Ram Paikra, Aged About 45 Years, Presently Working As Village Panchayat Secretary Dand Amorni, Janpad Panchayat Odagi, District Surajpur (Chhattisgarh)
2. Shivendra Kumar Jaiswal, S/o. Shri Vashishtha Jaiswal, Aged About 35 Years, Presently Working As Village Panchayat Secretary Kailash Nagar, Janpad Panchayat Odagi, District Surajpur (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary Panchayat & Rural Development Department, Secretariat, New Raipur, Police Station Rakhi, Post Office Rakhi, District Raipur (Chhattisgarh)
2. Deputy Director, Local Fund Audit, Ambikapur, District Surguja, (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat, Odgi, District Surajpur, (Chhattisgarh)

**---- Respondent**

**And**

**WPS No. 2950 Of 2016**

1. Paras Lal S/o Dhaniram, Aged About 45 Years, Posted As Secretary, Gram Panchayat, Davansara, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
2. Sita Prasad Rajwade, S/o Bandhuran, Aged About 45 Years Posted As Secretary, Gram Panchayat, Bhawarkhor, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
3. Vishnu Kushwaha S/o Parmeshwar, Aged About 42 Years Posted As Secretary, Gram Panchayat, Kuppi, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
4. Surdayal Singh S/o Chhattar Singh, Aged About 40 Years, Posted As Secretary, Gram Panchayat, Chapda, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
5. Panna Lal S/o Ram Singh, Aged About 40 Years Posted As Secretary, Gram Panchayat, Bhuidih, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).

6. Anil Kumar S/o Dharamchand, Aged About 45 Years, Posted As Secretary, Gram Panchayat, Bedmi, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
7. Jai Singh S/o Gajru, Aged About 45 Years Posted As Secretary, Gram Panchayat, Inderpur, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
8. Ramkumar S/o Bhola, Aged About 45 Years Posted As Secretary, Gram Panchayat, Injani, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
9. Siyaram S/o Babunandan, Aged About 43 Years Posted As Secretary, Gram Panchayat, Karwa, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
10. Hausla Prasad S/o Jugulram, Aged About 44 Years Posted As Secretary, Gram Panchayat, Rampur, Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).
11. Devishankaar Sonwani S/o Somar Sai, Aged About 45 Years Posted As Secretary, Gram Panchayat, Karauti ( B ), Janpad Panchayat Odgi, District Surajpur (Chhattisgarh).

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh).
2. The Deputy Director, Local Fund Audit, Ambikapur, District Surguja (Chhattisgarh).
3. The Chief Executive Officer, Janpad Panchayat, Odgi, District Surajpur (Chhattisgarh).

**---- Respondent**

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|--------------------------------------------|-------------------------------------|
| For Petitioners                            | Mr. SA Ansari, Advocate             |
| For Respondent/State                       | Mr. Shashank Thakur, Govt. Advocate |
| For Respondent /<br>Janpad Panchayat, Odgi | Mr. Rajnish Singh Baghel, Advocate  |

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**Hon'ble Shri Justice Prashant Kumar Mishra**  
**Order On Board**

**8/5/2017**

1. Heard.

2. On the basis of Audit Report, the Deputy Director, Local Fund Audit, Ambikapur has directed the CEO, Janpad Panchayat, Odgi, District Surajpur, to recover the excess amount of pay paid to the petitioners. However, till date, the Janpad Panchayat has not issued any order making recovery against the petitioners.
3. Mr. R.S. Baghel, learned counsel for the Janpad Panchayat, Odgi, would submit that till date, no recovery has been made from the petitioners.
4. Considering the fact that the Deputy Director, Local Fund Audit, Ambikapur, has issued direction for recovery of the excess payment made to the petitioners, but the consequent action is required to be taken by Janpad Panchayat, Odgi and the recovery has not yet been effected, the writ petition is disposed of with direction that the Janpad Panchayat, Odgi shall issue notice to the petitioners providing them opportunity of hearing within a period of one month from today and thereafter, the Janpad Panchayat, Odgi, shall pass order, on its own merits, within next 03 months.
5. Till the order is passed by the Janpad Panchayat, Odgi or for a period of 04 months, whichever is earlier, the status quo pursuant to the direction issued by the Deputy Director, Local Fund Audit, Ambikapur, shall be maintained on the said issue.

Sd/-

Judge

**(Prashant Kumar Mishra)**

