

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 676 of 2018

Smt. Manjeeta Vishwakarma W/o Vijay Kumar Vishwakarma Aged About
33 Years R/o Village Kusmusi , Tahsil Bhaiyathan District Surajpur
Chhattisgarh., District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat
And Rural Development Mahanadi Bhawan Naya Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh
2. The Commissioner , Surguja Division District Surguja Chhattisgarh.,
District : Surguja (Ambikapur), Chhattisgarh
3. The Collector , Surajpur District Surajpur Chhattisgarh., District :
Surajpur, Chhattisgarh
4. The Project Officer, Unified Child Development Project , Bhaiyathan
(Chandramedha) District Surajpur Chhattisgarh., District : Surajpur,
Chhattisgarh
5. The Chief Executive Officer Janpad Panchayat Bhaiyathan District
Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondents

For petitioner : Mr. A. K. Shukla, Advocate

For State : Mr. Majid Ali, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

18/01/2018

1. This petition has been filed by the petitioner aggrieved by the orders by
which the service of the petitioner has been dismissed and recovery has been
ordered.
2. Though, learned counsel for the petitioner has raised number of
grounds, I find that earlier petitioner's appointment was challenged before the
Collector and Collector declared it illegal which was confirmed by the
Commissioner. The petitioner filed writ petition which was also dismissed. The

writ appeal was also filed which was also dismissed. Therefore, it is clear that the petitioner has obtained order of appointment by submitting forged documents. Therefore, the services of the petitioner has been dismissed only as consequences of the orders passed in judicial proceedings.

3. The orders passed in various judicial petitions was that the petitioner procured employment on the basis of forged documents. Therefore, the impugned orders do not suffer from any illegality. However, I have taken into consideration the submission of the learned counsel for the petitioner that recovery is more than which was actually paid to the petitioner. According to the petitioner, he was paid honorarium up to August, 2016 thereafter, nothing has been paid to him. Therefore, only to this extent, the District Project Officer shall examine the records and if it is found that petitioner has been paid honorarium up to August, 2016 that would be computed and recovery would be confined to the amount found to have been paid to the petitioner. It is made clear in respect of honorarium paid to the petitioner up to August, 2016, there is no injunction by the Court.

4. Accordingly, the petition is disposed off. Sd/-

(Manindra Mohan Shrivastava)

Judge