

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5502 of 2017**

L. K. Ladiya S/o Late Shri Bhagwati Prasad Aged About 62 Years Retired Government Employee As Assistant Engineer / Sub Divisional Officer, Jonk Canal Water Resoureces Sub Division, Girod, Distt. Baloda Bazar Bhatapara Chhattisgarh R/o N V C 21, Narmada Vihar, Yadunandan Nagar, Tifra, Tahsil And Distt. Bilaspur Civil And Revenue Distt. Chhattisgarh., Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mahanadi Bhawan, New Raipur, Chhattisgarh., Chhattisgarh
2. Engineer In Chief, Water Resources Department, Sihawa Bhawan, Civil Line, Raipur, Chhattisgarh. , District : Raipur, Chhattisgarh
3. Chief Engineer, Mahanadi And Godawari Kachhar, Water Resources Department, Raipur, Chhattisgarh. , District : Raipur, Chhattisgarh
4. Executive Engineer, Water Resources Construction Division, Kasdol, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. Joint Director, Pension Branch, Ghadi Chouk, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents**WPS No. 6237 of 2017**

Smt. Bhagwati Bai Vaishnav, W/o Late Shri Muktamani Vaishnav, aged about 48 years, Resident of Ward No. 8, Bhogha Para, Shivrinarayan, District Janjgir-Champa (C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department of Home Affairs (Police), Mahanadi Bhawan, New Raipur, District – Raipur (C.G.)
2. Superintendent of Police, District – Bilaspur (C.G.)
3. Joint Director, Accounts Treasury and Pension, Bilaspur, District Bilaspur (C.G.)

---- Respondents**WPS No. 6236 of 2017**

Rajkumar Sharma, Aged 57 years, S/o Late Parmasukh Sharma, Retired from the post of Forest Ranger, from Social Forestry Range Geedam

Forest Division, Jagdalpur (Bastar), R/o In-front of Bastar Diesel, Forest Colony Jagdalpur, District – Bastar (C.G.)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through the Principal Secretary, Department of Forest, Mantralaya, Mahanadi Bhawan, Naya Raipur, P.S. Rakhi, District Raipur (C.G.)
2. The Principal Chief Conservator of Forest, Government of Chhattisgarh, Raipur, District- Raipur (C.G.)
3. The Chief Conservator of Forest, Forest Circle Jagdalpur- Bastar Jagdalpur, District Bastar (C.G.)
4. The Divisional Forest Officer, Research and Extension Center Society Forestry Range, Jagdalpur Forest Division Jagdalpur (Bastar), District-Bastar (C.G.)

---- **Respondents**

WPS No. 2897 of 2017

Kanwal Singh, S/o Shri Akti Ram Barmate, aged about 61 years, Working as- Assistant Grade III, at office of Superintending Engineer, Mahanadi Division, Water Resources Department, Raipur, Resident of Virendra Nagar, Ward No.02, Behind Civil Court, Saraipali, P.S. Saraipali, District – Mahasamund (C.G.)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Department Mahanadi Bhawan, Mantralaya Naya Raipur (C.G.)
2. The Superintending Engineer, Mahanadi Division, Water Resource Department, Sinhawa Bhawan, Civil Lines, District – Raipur (C.G.)
3. The Joint Director, Treasury, Account and Pension, District – Raipur (C.G.)

---- **Respondents**

For Petitioners : Shri R.K. Kesharwani, Shri Ashwani Shukla, Shri J.N. Nande & Shri Praveen Dhurandhar, Advocate.

For State : Shir Arun Sao, Dy. Advocate Genearl.

Order On Board

08/02/2018

- (1) Since common question of law and fact is involved in all the writ

petitions, they are being disposed of by this common order.

(2) Learned counsel appearing for the petitioners would submit that after retirement, the notice of recovery has been issued to the petitioners, which they are not entitled to pay in view of judgment of the Supreme Court in the matter of **State of Punjab & others Vs. Rafiq Masih (White Washer)**¹

(2) On the other hand, learned counsel for the State would submit that petitioners may be allowed to make representations to the competent authority, which will be considered and decided by reasoned and speaking order within a period of four weeks from today.

(3) I have heard learned counsel appearing for the parties. .

(4) Be that as it may, the petitioners are at liberty to make representations before the competent authority for redressal of their grievances within a period of four weeks from today and, in turn, the authority concerned shall consider and decide the same within a further period of four weeks from the date of receipt of their representations in accordance with law.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

(6) For the period of 8 weeks, interim order granted earlier shall remain in operation.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

1 (2015) 4 SCC 334