

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 6291 of 2018**

Santram Yadav (Retired Peon) S/o Jhanlu Ram Yadav, Aged About 64 Years, R/o Village Purena Madwarani, Post Jarve, Via Bhaisma, Tahsil Kartala, District Korba Chhattisgarh.

**---Petitioner****Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Education, Mantralay, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Accountant General, Zero Point, Naya Raipur, District Raipur Chhattisgarh.
3. District Treasury Officer, District Korba Chhattisgarh.
4. Block Education Officer, Block Korba, District Korba Chhattisgarh.

**---Respondents**


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| For petitioner : | Shri Vikas Pandey, Advocate.   |
| For respondent:  | Shri Ashwani Shukla, Advocate. |
| For State :      | Ms. Sunita Jain, Panel Lawyer. |

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**Hon'ble Shri Justice P. Sam Koshy****Order on Board****25/09/2018**

1. The challenge in the present Writ Petition is to the order Annexure-P/1 dated 08/08/2017 whereby the respondents have issued a notice of recovery for depositing an amount of Rs.67,531/- which was an excess amount paid by the department to the petitioner on his superannuation under his GPF account. The petitioner in due course of time has also deposited the said amount.
2. The petitioner has only now questioned that the said assessment of negative balance is erroneous for the reason that according to him this amount has been wrongly calculated by the department.

3. The counsel for the petitioner submits that, before issuance of the order, the respondent authorities should have atleast issued a notice to the petitioner and taken him in confidence while assessing the negative balance.
4. Given the said facts and circumstances of the case, let the petitioner approach the respondent No.4 who in turn shall in consultation with the respondent No.2 enquire into the GPF account of the petitioner and while doing so, let the petitioner also be called upon along with all relevant record that he has so far as his provident fund dues are concerned and the respondent No.4 shall also make available all necessary records so far as withdrawals from the GPF account if any made by the petitioner and thereafter an appropriate order be passed determining whether the negative balance of Rs.62,531/- is proper or not.
5. Let this exercise be completed within a period of 4 months from today.
6. It shall be the responsibility of the petitioner to apprise the respondents No. 2 & 4 of the order passed by this Court.
7. The Writ Petition accordingly stands disposed off.

Sd/-

**(P. Sam Koshy)**  
**JUDGE**

Sumit