

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 1942 of 2014**

- Rajesh Kumar Patre S/o Shri Salikram Aged About 43 Years R/o Village Devrikari, Thana Bilha, Civil And Revenue Distt Bilaspur, Cg, Chhattisgarh

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

1. State Of Chhattisgarh Through Secretary, Panchayat Avm Gramin Vikas Vibhag, Dks Bhawan, Mantralaya, Raipur, Chhattisgarh
2. Chief Executive Officer Janpad Panchayat, Bilha, Distt Bilaspur, Chhattisgarh
3. Sub Divisonal Officer, Revenue Bilha, Distt Bilaspur, Chhattisgarh
4. Baldau Prasad Koshle Ex- Sarpanch, Gram Panchayat, Bhatgaon, Tahsil Bilha, Distt Bilaspur, Chhattisgarh

**---- Respondents**


---

For Petitioner : Shri Rajendra Patel, Advocate

For Respondents/State : Ms. Richa Shukla, Dy. GA

---

**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****26/08/2019**

1. Heard.
2. It is contended that the order dated 12.08.2014 (Annexure P-1) & 25.08.2014 (Annexure P-2) for recovery of Rs.1 Lakh has been passed against the petitioner without giving any proper hearing to the petitioner.
3. Learned counsel for the petitioner submits that in the similar circumstances, the co-ordinate Bench of this Court in WPC No.7124 of 2010 on 10.08.2018 has quashed the order on the ground that no opportunity of hearing is given and the

similar order may be passed.

4. Considering the fact that the issue pertains to 2014 and no reply has been filed by the State and prima facie document shows that no opportunity of hearing was given to the petitioner before such recover was ordered. In these circumstances, the order dated 12.08.2014 (Annexure P-1) & 25.08.2014 (Annexure P-2) are hereby quashed. It is further observed that the respondents shall be free to conduct the enquiry in respect of the petitioner in respect of the subject in issue after giving opportunity of hearing to the petitioner in accordance with law.
5. With the aforesaid observation, the writ petition stands allowed.

Sd/-

Goutam Bhaduri  
Judge

Ashu