

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 216 of 2019

Sakal Say Rajwade S/o Jagdish Prasad Rajwade Aged About 50 Years
Secretary, Village Panchayat Sumerpur, Post Tejpur, Tahsil Ramanujganj,
District- Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
2. The Collector District- Surajpur, Chhattisgarh.
3. The Sub-Divisional Officer (Rev.) Surajpur, Chhattisgarh.
4. The Chief Executive Officer Janpad Panchayat And Tahsil, Ramanuj Nagar, District- Surajpur, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ashok Ku. Shukla, Advocate
For State	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/01/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 19.03.2018, whereby an order of recovery to the tune of Rs.1,55,867/- has been ordered to be recovered from the dues payable to the petitioner.
2. Though the order dated 19.03.2018, it appears that the petitioner has not challenged the said order before the authority concerned, by way of an appeal i.e. the Collector, under Rule 3A of the Panchayat Appeal and Revision Rules, 1995. The petitioner after a period of about 9-10 months, has now filed the present writ petition before this Court challenging the same.
3. On the ground of there being a statutory efficacious alternative remedy available to the petitioner, this Court is not inclined to entertain the writ

petition at this juncture. Reserving the right of the petitioner to approach the Collector, challenging the impugned order, the present writ petition stands disposed off.

4. Subject to the petitioner's moving an appeal within a period of two weeks from today, the Collector shall take a decision on the said appeal at the earliest, in accordance with the Rules governing the field, ignoring the aspect of limitation.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved