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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 207 of 2019

- Dev Prakash Sahu S/o Ram Lal Sahu Aged About 42 Years R/o Village Rambhantha, Tahsil Dabhara, District - Janjgir - Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through It's Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Atal Nagar, District - Raipur Chhattisgarh.
2. CEO District - Panchayat Janjgir Champa, Chhattisgarh.
3. Ombudsman Mahatma Gandhi Rashtriya Gramin Rojgar Guaranty Yojna Janjgir Champa, District - Janjgir Champa, Chhattisgarh.

---- Respondent

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---- Respondent

For Petitioner : Shri Tapan Kumar Chandra, Advocate.
For Respondent/State : Shri Sudeep Verma, Deputy GA.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/01/2019 :

1. The petitioner has suffered an order passed by the Lokpal under the MGNREGA Scheme for recovery of Rs.21,000/-, Rs.1,86,910/- & Rs.2,400/- in respective cases, without there being any further action.
2. The only ground raised in these writ petitions is that the order has been passed without affording opportunity of hearing.
3. Perusal of the order would indicate that the petitioner was served with a show cause notice on which he had appeared before the Lokpal and admitted that the bills of supply of material has been issued by him. He was thereafter asked to clarify about actual supply made by him, but the petitioner did not appear before the Lokpal on subsequent dates, despite the office of Lokpal having contacted him over mobile. There is finding by the Lokpal that the bills appeared to be fraudulently prepared.

4. Since the petitioner has been heard by the Lokpal, therefore, considering the nature of order and the meagre amount of recovery against the petitioner with a finding that he is also responsible for substandard execution of the construction work which was brought to the notice of the local MLA by the villagers, no case for interference is made out.
5. Accordingly, all the Writ Petitions are dismissed.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve