

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 1960 of 2019**

- Surendra Seth S/o Shri Bhagwan Seth Aged About 70 Years
R/o Village And Post Rohina, Sarpanch Of Gram Panchayat
Rohina, Janpad, Panchayat Basna, Civil And Revenue
District Mahasamund Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat
And Rural Development Department Mahanadi Bhawan
Capital Complex, Atal Nagar New Raipur, District Raipur
Chhattisgarh.
2. Collector Mahasamund, District Mahasamund Chhattisgarh.
3. Sub Divisional Officer (Revenue) Saraypali, District
Mahasamund Chhattisgarh.
4. Chief Executive Officer Janpad Panchayat Basna, District
Mahasamund Chhattisgarh.

---- Respondents

For Petitioner	:-	Shri Sunil Sahu, Advocate
For Respondent-State	:-	Shri R.S. Baghel, Dy. A.G

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

19/06/2019

1. Learned counsel for the petitioner would submit that
recovery proceedings have initiated and coercive action is

likely to be taken against the petitioner without finalising the proceedings under Section 89 of the C.G. Panchayat Raj Adhiniyam, 1993(in short 'the Act')

2. Learned state counsel would submit that if no final order has been passed under Section 89 of the Act till date , the appropriate authority shall be instructed to pass final order in the matter.
3. In view of the above, the Writ Petition is disposed of with direction that if the final order under Section 89 of the Act has not yet been drawn, the said proceeding shall be drawn against the petitioner within a period of three months from today. The proceeding so drawn be decided in accordance with law within four months.
4. Upon finding that petitioner has misappropriated any amount and is liable to return the same, appropriate proceeding be drawn to recover the amount from the petitioner.

Sd/-

(Prashant Kumar Mishra)
Judge

Ayushi