

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4892 of 2019

Sukhiram Yadu S/o Shri Gendu Ram Yadu Aged About 59 Years R/o Kasaridih, Gali No. 3, Ward No. 42, District- Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Director(Panchayat) Directorate, Naya Raipur, District- Raipur, Chhattisgarh
3. Chief Executive Officer Zila Panchayat, Durg, District- Durg, Chhattisgarh
4. Chief Executive Officer Janpad Panchyat Durg, District- Durg, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Neeraj Pradhan, Advocate.
For State	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/07/2019

1. The grievance of the petitioner in the present writ petition is for release of balance of salary minus the subsistence allowance that has been paid to the petitioner for the period 14.07.2014 to 19.06.2018.
2. Perusal of records would show that the petitioner had been subjected to a Departmental Enquiry and he had been found guilty of the charges and had also been punished with stoppage of two annual increment without cumulative effect.
3. The respondents have meanwhile also initiated recovery proceeding against the petitioner for the loss that the petitioner has caused. The recovery proceeding is already under challenge in WPS No. 3794 of

2018 where the petitioner has an interim order in his favour against the order of recovery.

4. Given the fact that the petitioner has been inflicted with a punishment and the subsequent action of recovery being already under challenge before the writ Court, this Court is of the opinion that Authorities concerned would not be in a position at this stage to decide the claim of the petitioner.
5. Reserving the right of the petitioner to approach the authorities after the disposal of the writ petition 3794 of 2018 the present writ petition in its present form stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**

Jyotijha