

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS. No.6891 of 2019

Madhusudan Yadav Vs. State of Chhattisgarh & Ors.

05.09.2019	Shri Vikas Dubey, Advocate for the petitioner. Ms. Ishwari Dhritlahre, Panel Lawyer for the State. Shri Keshav Dewangan, Advocate for the respondents No.2 to 5. The petition is admitted for hearing. Since all the respondents are represented, issuance of notice to them stands dispensed with. Let reply be filed within a period of 6 weeks' from today and the matter be listed thereafter. Heard on I.A. No.01/19 for grant of interim relief. Considering the entire facts and circumstances of the case, particularly the fact that the petitioner was issued with a charge sheet and subsequently an order was passed by the department imposing recovery against the petitioner against which the petitioner had preferred an appeal also and pending the appeal the respondents initiated recovery proceedings which was challenged before this Court and this Court staying the recovery part had referred the matter back to the Appellate Authority for deciding the appeal at the earliest. Thereafter, the appeal has been decided. It is pertinent to take note of the fact that during these period, there was an interim protection granted to the petitioner so far as recovery is concerned. Since then the petitioner has got the interim protection so far as recovery

part is concerned, prima facie a strong case for grant of interim relief has been made out.

Accordingly, there shall be stay of the order of recovery so far as the petitioner is concerned till next date of hearing.

Sd/-
(P. Sam Koshy)
Judge