

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 212 of 2020**

Smt. Karuna Sarve W/o Late Dinesh Chandra Sarve Aged About 45 Years
R/o, Village - Kachanda, Tahsil- Nawagarh, Civil And Revenue District -
Janjgir-Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary Department Of Panchayat, Mahanadi Bhawan, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector Janjgir, Civil And Revenue District- Janjgir-Champa Chhattisgarh
3. The Sub Divisional Officer (Revenue) Janjgir, Civil And Revenue District- Janjgir-Champa Chhattisgarh
4. The Chief Executive Officer Zila Panchayat Janjgir Cum Mamber Secretary Zila Swachchha Bharat Mission (Gramin) Management Committee, Janjgir, Civil And Revenue District - Janjgir-Champa Chhattisgarh
5. The Chief Executive Officer Janpad Panchayat Nawagarh, Civil And Revenue District - Janjgir-Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Paras Mani Shriwas, Advocate
For State	:	Mr. P. Acharya, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/01/2020**

1. The challenge in the present writ petition is to the order dated 19.12.2019 whereby the respondent No.5 has ordered the petitioner to make payment of Rs. 9,10,000/- within a period of three days, failing which he would be compelled to initiate appropriate criminal action against the petitioner.
2. Counsel for the petitioner at the outset, submits that he is not in any manner responsible for the alleged payment of Rs. 9,10,000/-.

According to the petitioner the said amount was not released during the period when the petitioner was the Sarpanch. He further submits that petitioner has not been given an opportunity of defence before the respondents have decided the liability upon the petitioner.

3. Given the aforesaid facts and contentions that the petitioner has raised, this Court is of the opinion that the writ petition itself can be disposed of directing the petitioner to appear before the respondent No.5 and to provide detailed explanation in respect of alleged recovery notice that has been issued against him and respondent No.5 in turn shall duly verify the contents of the said explanation that petitioner shall provide and thereafter take appropriate proceedings against the petitioner.
4. Till respondent No.5 takes a decision, the respondents may not take any coercive steps against the petitioner arising out of Annexure P-1.
5. The petitioner is directed to approach before respondent No.5 within a period of ten days from today along with his explanations.
6. With the aforesaid observations, the present writ petition stands disposed of.
7. Certified Copy Today.

Sd/-
(P. Sam Koshy)
Judge