

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3128 of 2020

- Durgesh Kumar Soni S/o Lt. Bhuneshwar Prasad, Aged About 30 Years
R/o Panchayat Secretary, Janpad Panchayat Kachandur, Presently Posted
As Janpad Panchayat, Bhardakala District Balod Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Panchayat Bhavan, Mantralaya Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Chief Executive Officer, Janpad Panchayat, Gunderdehi, District Balod Chhattisgarh

---- Respondents

For Petitioner	:	Shri Tarendra Kumar Jha, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

13.08.2020

Heard.

1. Learned counsel for the petitioner submits that the order under challenge is dated 01.07.2020 (Anneuxre P-1) passed by the CEO Janpad Panchayat, Gunderdhei wherein without giving opportunity of hearing, recovery of Rs. 1,40,500/- has been ordered for against the petitioner. He further submits that the enquiry report was obtained under the RTI Act.
2. The order under challenge is appealable under Rule 3 of the C.G. Panchayat (Appeal And Revision) Rules, 1995 and the appeal will lie before the authority as prescribed, therefore, since alternative statutory remedy is available, I am not inclined to exercise the power under Article 226 of the Constitution of India.
3. Accordingly, the petition is liable to be and is hereby dismissed.

Sd/-
Goutam Bhaduri
Judge