

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 368 of 2020**

{Arising out of order dated 26.04.2019 passed by the learned Single Judge in Writ Petition (S) No. 3068 of 2019}

1. State of Chhattisgarh, Through The Secretary, Department of Home/Police, Mahanadi Mantralaya, Police Station & Post Rakhi, Atal Nagar Raipur, District Raipur (C.G.)
2. The Director General of Police (DGP), Police Head Quarter (PHQ) Near Mahanadi, Mantralaya, Police Station & Post Rakhi, Atal Nagar Raipur, District Raipur, Chhattisgarh.
3. The Inspector General of Police (I.G.P.) Office of Inspector General of Police, 32 Bunglow, Bhilai, District Durg, Chhattisgarh.
4. The Superintendent of Police (SP), Office of Superintendent of Police, Durg, District Durg, Chhattisgarh.

---- Appellants**Versus**

- Shruti Singh Chakravarti, W/o Shri S.D. Singh, aged about 43 years, R/o Quarter No. F-1, Saidwar, Kasarideeh, Civil Line Durg, Police Station City Kotwali, Tahsil & District Durg, Chhattisgarh.

---- Respondent

For Appellants/State:	Shri Sudeep Agrawal, Deputy Advocate General.
For Respondent :	None.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Judgment on Board**Per Parth Prateem Sahu, Judge****09.10.2020**

1. Shri Sudeep Agrawal, the learned Deputy Advocate General appearing for the State submits that this appeal has been filed relying upon the judgment passed by this Court in case of Writ Appeal No. 376 of 2019. He submits that the case of the Appellants are covered by the judgment.

2. During the course of argument, it is pointed out that the judgment relied upon by the learned counsel for the State is on the ground that the employee therein has given undertaking for recovery if excess payment is found at later stage.
3. When we asked the learned counsel about the undertaking obtained from Respondent herein, he submits that no undertaking was taken from the concerned employee.
4. In the aforementioned facts of the case, he submits that he may be permitted to withdraw this appeal.
5. Permission is granted.
6. The appeal is dismissed as withdrawn.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge