

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2627 of 2020

Ramfal Kaushik, S/o. Harishankar Kaushik, Aged About 29 Years, R/o. H No.42, Gangibahra, Block- Lohara, Kabirdham, District Kabirdham Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh
2. Collector Kabirdham, District Kabirdham, Chhattisgarh
3. Chief Executive Officer Kabirdham, District Kabirdham Chhattisgarh
4. Chief Executive Officer, Block Lohara, District Kabirdham Chhattisgarh
5. Sarpanch, Gram Panchayat Gangibahra Block-Lohara, Kabirdham, District Kabirdham Chhattisgarh
6. Secretary, Gram Panchayat Gangibahra, Block- Lohara, Kabirdham, District Kabirdham Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pramod Ramteke, Advocate.
For State	:	Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.11.2020

1. The instant petition is filed for the following reliefs :

“(i) That, this Hon'ble Court may kindly be pleased to set aside the approved letter dated 19.06.2020.

“(ii) That, the Hon'ble Court may kindly be pleased to order to the respondent No.3 & 4 to make a fair enquiry about the whole action of the respondent No.5 & 6.

“(iii) That, the Hon'ble Court may kindly be pleased to consider the letter of the petitioner and order to the respondents to take action of recover back the loss of the petitioner, which is almost Rs.10,00,000/-.

(iv) Any other relief which this Hon'ble Court may deem and proper in the present circumstances of the case."

2. Learned counsel for the petitioner submits that the Sarpanch and Secretary of Gram Panchayat Gangibahra, Block Lohara, Kabirdham has illegally deleted the name of labourers who have already worked and added the name of persons who have not worked for which the petitioner has made a representation to the Collector, however, no action has been taken.
3. The nature of the complaint which is made and the prayer would show that enquiry has been sought for along-with recovery of the loss of back wages. The nature of the complaint cannot be gone into by this Court in exercise of power under Article 226 of the Constitution. If the petitioner is aggrieved by the illegal action and fraud, he can avail the appropriate remedy available to him under the Criminal Procedure Code and may seek redressal before the appropriate forum. No roving enquiry can be ordered for on a disputed question of facts. Therefore, I am not inclined to entertain this petition and accordingly, it is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Aks