

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2856 of 2021**

Lachchh Narayan Kant S/o Shri Madhav Lal Kant, Aged About 65 Years, Retired - District Auditor, R/o In Front Of Balmukund School, Talapara, Bilaspur, District Bilaspur, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary- Department Of Panchayat And Social Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. Deputy Director, Department Of Panchayat Balod, District Balod, Chhattisgarh
3. Joint Director, Treasury, Account And Pension, Durg, Division Durg, District Durg, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Ravipal Maheshwari & Rajesh Verma, Advocate
For State	:	Mr. Neeraj Pradhan, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24.06.2021**

1. Aggrieved by the order Annexure P-1 dated 21.11.2017 the present writ petition has been filed. Vide the impugned order the respondents have ordered for recovery of an amount of Rs.1,59,529/-.
2. At the outset, this Court is of the opinion that the writ petition suffers delay latches for the reason that the petitioner was in service, working under the respondents when the order of recovery was issued. The petitioner did not challenge the recovery order at that point of time

when he was in service. The petitioner thereafter retired from service on attaining the age of superannuation on 31.03.2018. Even then the petitioner did not challenge the recoveries being made from the dues payable to the petitioner. Finally, now after more than 3 ½ years the present writ petition has been filed.

3. From the aforementioned factual details which are not in dispute it is evidently clear that when the recovery order was issued, the petitioner does not seem to be aggrieved of the action. The petitioner also permitted the respondents for making all recoveries in due course of time. He also stood retired from service on 31.03.2018 and even then there was no challenge and now after more than 3 ½ years the petitioner suddenly woke up from his slumber to challenge the recovery order.
4. The writ petition therefore suffers from delay and laches and the same is accordingly rejected.

**Sd/-
P. Sam Koshy
Judge**