

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3761 of 2021**

Anoop Kumar Parashar S/o Shri Shambhu Dayal Parashar Aged About 62 Years R/o Care Of R.K. Sharma, Netaji Bhawan Lane, 11/1344, Fish Pond, Gudhiyari, Ward No. 8, Raipur, District- Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Warehousing Corporation, Through Secretary Head Office, Raipur, District- Raipur, Chhattisgarh
2. Managing Director, Chhattisgarh State Warehousing Corporation, Head Office Sector-4, Naya Raipur, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
3. Karmik Prabandhak, Chhattisgarh Ware Housing Corporation Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For Respondents	:	Mr. Anuroop Panda, on behalf of Mr. B. D. Guru, Advocates

Hon'ble Shri Justice P. Sam Koshy
Order on Board

10/08/2021

1. Aggrieved by the impugned order dated 03.03.2021, the present writ petition has been filed. Vide the said impugned order the respondents have ordered for recovery of an amount of Rs.9,55,455/- from the petitioner.
2. The petitioner in the instant case submits that petitioner was subjected to a disciplinary proceeding whereby a charge sheet was issued on 31.03.2018 Annexure P-4 and thereafter, concluding the departmental enquiry only on 03.03.2021 Annexure P-1 and the petitioner was to retire on 30.03.2021.

3. During the course of hearing, it is revealed that the petitioner has already referred an appeal to the respondent No.1 and the appeal is pending consideration as would be evident from the couple of notices that were issued to the petitioner for hearing on appeal.
4. Since the appeal is already pending, the writ petition at this juncture stands disposed of directing the respondent No.1 to take a decision on the appeal in accordance with law at the earliest granting due opportunity of hearing to the petitioner within a period of 45 days from the date of receipt of copy of this order. For the period of those 45 days or till the appeal is finally decided, whichever is earlier, the respondents shall not act on the notice of recovery dated 03.03.2021 issued against the petitioner.
5. Needless to say that the petitioner would be at liberty to challenge the outcome of the appeal before the appropriate authority or court, as the case may be.
6. The writ petition accordingly stands disposed of with the aforesaid observations.

Sd/-
(P. Sam Koshy)
Judge

Rohit