

HIGH COURT OF CHHATTISGARH, BILASPUR



2026:CGHC:32061

Order Sheet

WPS No. 549 of 2020

Smt. Vimlesh Sahu **Versus** State Of Chhattisgarh & ors.

24/01/2020	Ms. Shriya Mishra, counsel for the petitioner. Ms. Beenu Sharma, PL for the State. Heard. Learned counsel for the petitioner would submit that the petitioner is working as Rural Health Organizer (Female) at Community Health Centre Limtara and notice dated 1/01/2020 Annexure P-1 is served that she has been paid extra salary in between the period from 1/07/2006 to 31/12/2015 and from 1/01/2016 to 31/12/2019, thereby amount of Rs.97393/- has been sought to be recovered. The reference is made to the ratio laid down in case of State of Punjab Vs. Rafiq Masih, 2015 (4) SCC 334. It is contended that no opportunity of hearing was given before such recovery notice was made and the salary has not been paid on the basis of fraud or any misrepresentation. State counsel is directed to file reply. Considering the case of Rafiq Masih (supra) and prima facie it appears that no hearing was given to the petitioner before such order of recovery has been passed, there shall be stay of further recovery from the salary of the petitioner, till the next date of hearing. List after six weeks. Sd/- (Goutam Bhaduri) JUDGE
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