



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 731 of 2026

Smt. Kalendri Markam W/o Late Bhagwan Singh Markam Aged About 50
Years R/o Village - Bhurshidongri, Block - Nagri, District - Dhamtari (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Scheduled Caste And Scheduled Tribe
Development Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New
Raipur, District - Raipur (C.G.)

2 - The Secretary Government Of Chhattisgarh, School Education
Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District
- Raipur (C.G.)

3 - The Assistant Commissioner Tribal Welfare Department, District -
Dhamtari (C.G.)

4 - The District Education Officer District - Dhamtari (C.G.)

5 - The Block Education Officer Nagri, District - Dhamtari (C.G.)

6 - The Divisional Joint Director Treasury, Accounts And Pension, Raipur,
District - Raipur (C.G.)

... **Respondent(s)**

Order Sheet

22/01/2026	Mr. CJK Rao, counsel for the petitioner. Mr. Kalpesh Ruparel, Panel Lawyer for the State.

	Heard on admission. Issue notice to respondents. Mr. Kalpesh Ruparel, Panel Lawyer accepts notice for respondents. Hence, PF is not required to be paid for issuance of notice to respondents. Learned counsel for the State/respondents prays for and is granted four weeks time to file reply. Also heard on IA No.1, application for grant of interim relief. Learned counsel for the petitioner submits that petitioner is the widow of deceased employee and letter Annexure P-1 is issued for recovery of sum of Rs.1,275,902/- stating that excess payment has been made to her husband who was Class-IV employee. In the facts of case, in view of judgment of Hon'ble Supreme Court in case of State of Punjab and Ors. Vs. Rafiq Masih (White Washer) and Ors., (2015) 4 SCC 334, recovery is not permissible under the law. On due consideration of submission of learned counsel for the petitioner, purely as an interim measure, it is directed that effect and operation of the impugned letter dated 17.11.2025 (Annexure P-1) with regard to recovery as also recovery from the petitioner shall remain stayed till the next date of hearing. List this case after four weeks. Sd/- (Parth Prateem Sahu) Judge
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