



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 962 of 2026

Krishna Kumar S/o Late Nanhu Ram Aged About 40 Years R/o Ward No. 38, Block No. 14, Quarter No. 20, Dumanhill, Post Sonawani, District Manendragarh Chirmiri Bharatpur C.G.

... Petitioner(s)

versus

1 - South Eastern Coalfields Limited Through Chairman-Cum- Managing Director, S E C L Headquarters, Seepat Road Bilaspur, District Bilaspur C.G.

2 - The Director (Personnel), South Eastern Coalfields Limited, S E C L Headquarters, Seepat Road Bilaspur, District Bilaspur C.G.

3 - The General Manager, South Eastern Coal Fields Limited, Chirmiri Area, Chirmiri, District M C B (C.G.)

4 - Chief Manager (M)/ Sub Area Manager, South Eastern Coal Fields Limited, Kurasia Group, P.O. Kurasia, Chirmiri, District M C B (C.G.)

... Respondent(s)

Order Sheet

28/01/2026	<p>Mr. Chandresh Shrivastava, counsel for the petitioner.</p> <p>Mr. Anumeh Shrivastava, counsel for the respondents, on advance copy.</p> <p>Heard on admission.</p>

Issue notice to respondents.

Mr. Anumeh Shrivastava, Advocate accepts notice for respondents. Hence, PF is not required to be paid for issuance of notice to respondents. He prays for and is granted three weeks time to file reply.

Also heard on I.A. No. 1 which is an application for grant of interim relief.

Learned counsel for the petitioner submits that the petitioner is working as Blasting Crew Man which is Class-III post. Respondent authorities have issued a letter dated 18.12.2025 mentioning that recovery is to be made on the ground of excess payment made to petitioner. He submits that 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 no recovery shall be made from the petitioner pursuant to impugned order dated 18.12.2025 and 27.12.2025 till the next date of hearing.

List this case in the month of **April 2026**.

Sd/-

(Parth Prateem Sahu)

Judge