



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 930 of 2026

Saizuddin S/o Late Azimuddin Aged About 45 Years R/o Ward No. 38, Block No. 14, Quarter No. 77, Dumanhill, Post Sonawani, Distt. Manendragarh Chirmiri Bharatpur, Chhattisgarh.

... Petitioner

versus

1 - South Eastern Coalfields Limited, Through Chairman-Cum-Managing Director, Secl Headquarters, Seepat Road, Bilaspur, Distt. Bilaspur, Chhattisgarh.

2 - The Director (Personnel) South Eastern Coalfields Limited, Secl Headquarters, Seepat Road, Bilaspur, Distt. Bilaspur, Chhattisgarh.

3 - The General Manager South Eastern Coal Fields Limited, Chirmiri Area, Chirmiri, Distt. Mcb, Chhattisgarh.

4 - Chief Manager (M)/sub Area Manager South Eastern Coal Fields Limited, Kurasia Group, P.O. Kurasia, Chirmiri, Distt. Mcb, Chhattisgarh.

5 - Mines Manager South Eastern Coalfields Limited, Domanhill Colliery (Chc), Kurasia Group, P.O. Kurasia, Chirmiri, Distt. Mcb, Chhattisgarh.

... Respondents

Order Sheet

29/01/2026	Mr. Anmol Sharma, Counsel for the petitioner. Mr. Anumesh Shrivastava, Counsel for the respondents. Heard on admission. Issue notice to respondents. Mr. Anumesh 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 week's time to file reply. Also heard on IA No. 01 which is an application for grant of interim relief. Learned counsel for the petitioner submits that the petitioner is working as Tyndal Category V which is a 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 the petitioner. He submits that in the facts of the 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

alfiza	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. As submitted list this case along with WPS No. 962 of 2026. sd/- (Parth Prateem Sahu) Judge
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