



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1309 of 2026

1 - Rakesh Kumar Salam S/o Late Shri Pyarelal Salam Aged About 51 Years R/o Village- Gandagouri, Post- Lilejhar, P.S. And Tahsil- Charama, Distt. North Bastar, Kanker C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Home/ Police, Mahanadi Bhawan, Mantralay, Police Station And Post- Rakhi, Atal Nagar, Nawa Raipur, District Raipur C.G.

2 - Inspector General Of Police, Chhattisgarh Armed Force (Caf), Police Head Quarter (Phq), Sector- 19, Police Station And Post- Rakhi, Atal Nagar, Nawa Raipur, District Raipur C.G.

3 - Divisional Joint Director O/o Divisional Joint Director, Treasury- Account And Pension, Bastar Division, Jagdalpur, Distt.- Bastar C.G.

4 - Commandant, Office Of Commandant, C.T.J.W. College, Kanker, District Kanker C.G.

... Respondent(s)

Order on Board

19/02/2026	Mr. Abhishek Pandey, counsel for petitioner. Mr. S.S. Baghel, G.A. for State-respondents. Heard on admission. Issue notice to respondents. Learned State counsel accepts notice on behalf of



Balram	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 petitioner is Class-III employee. Respondent authorities have issued an order for recovery of excess salary paid to petitioner vide Annexure P-2. There is no mention in the letter that petitioner has made any misrepresentation to obtain benefit of excess payment, therefore, recovery is not permissible in law. In support of his contention, he places reliance upon decision of Hon'ble Supreme Court in case of State of Punjab and Ors. Vs. Rafiq Masih (White Washer) and Ors., (2015) 4 SCC 334. Learned State counsel submits that he will file reply to the interim application also. 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 petitioner pursuant to impugned order dated 11.06.2024 (Annexure P-2), till the next date of hearing. List this case in the month of April 2026. Sd/- (Parth Prateem Sahu) Judge
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