



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2586 of 2026

1 - Rekha Kabilas D/o Shri Harendra Kumar Kabilas Aged About 62 Years Retired Employee R/o Hari Bhawan, Ward No. 17, Durg Road, Bemetara, District- Bemetara (CG)

... Petitioner(s)

versus

1 - State of Chhattisgarh Through Secretary, Department of Public Health And Family Welfare, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur (CG)

2 - Director Directorate, of Public Health Service, Indrawati Bhawan, Naya Raipur, district Raipur (CG)

3 - Divisional Joint Director Treasury Account And Pension, Durg Division Durg Chhattisgarh

4 - Civil Surgeon Cum Chief Hospital Superintendent District Hospital Bemetara, District Bemetara(CG)

5 - Chief Medical And Health Officer Bemetara, District- Bemetara(CG)

... Respondent(s)

(Cause title is taken from Case Information System)

Order Sheet

20.03.2026	Mr. Vinod Kumar Sharma, learned counsel for the Petitioner. Ms. Apoorva Nigam, learned Panel Lawyer for the State/Respondents.
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	Issue notice to the respondents. Learned State counsel accepts notice on behalf of respondents, hence, process fee is not required to be paid for issuance of notice. He prays for and is granted four weeks' time to file reply. Heard on I.A. No.1/2026, application for exemption from filing typed copy of faint and not readable documents. On due consideration and for the reasons mentioned in the application, I.A. No.1/2026, is allowed and the petitioner is exempted from filling typed copy of faint and not readable documents. Also heard on I.A. No.2 of 2023, application for grant of interim relief/stay. Learned counsel for the petitioner submits that petitioner is a retired Class-III employee and, after his retirement a letter of recovery dated 05.03.2026 has been issued mentioning recovery of sum of Rs.3,66,194/-. Relying upon the decision of Supreme Court in case of <i>State of Punjab Vs. Rafique Masih reported in 2015(5) SCC 334</i>, learned counsel submitted that recovery from Class-III employees that to from a retired person is not permissible.
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Vaishali	Learned counsel for the State submits that she will file reply to the application for grant of interim relief also. On due consideration of the submission made by the counsel for the petitioner, purely, as an interim measure, it is directed that recovery pursuant to letter dated 05.03.2026, (Annexure-P/1) from the petitioner shall remain stayed till the next date of hearing. At this stage, learned counsel for the petitioner submits that petitioner has not been paid retrial dues till date and he is facing immense hardship due to the same. Accordingly, respondents are directed to take necessary steps for paying retrial dues to the petitioner except the amount mentioned in order dated 05.03.2026 i.e., Rs.3,66,194/-. Sd/- (Parth Prateem Sahu) Judge
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