2026:CGHC:10010

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2187 of 2020

- Punva Das Gendle S/o Shri Tijau Ram, At Present Aged About 48 Years, Occupation- Assistant Teacher Panchayat Government Primary School Chiroti Tahsil Patheriya District- Mungeli, Chhattisgarh, R/o Village Douna P.S. Hirri District- Mungeli, Chhattisgarh.

--- **Petitioner**

versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan Naya Raipur, P.S.- Abhanpur District- Raipur, Chhattisgarh.
2. Chief Executive Officer Janpad Panchayat Patheriya District Mungeli Office Of Chief Executive Officer, Janpand Panchayat Patheriya District- Mungeli, Chhattisgarh.

--- **Respondents**

WPS No. 2280 of 2020

- Rajkumar Patre S/o Shri Bagluram, At present Aged About 36 Years, Occupation Assistant Teacher Panchayat, Government Primary School Podi, Tahsil Patheriya, District Mungeli, Chhattisgarh, R/o Village Odhadabri, Police Station Kunda, District Kabirdham, Chhattisgarh.

---**Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan Naya Raipur, Police Station Abhanpur, District Raipur, Chhattisgarh.
2. Chief Executive Officer, Janpad Panchayat Patheriya, District Mungeli Office Of Chief Executive Officer, Janpad Panchayat Patheriya, District Mungeli, Chhattisgarh.

--- **Respondents**

For Petitioners	:-	Ms. Deepali Pandey, Advocate.
For State/Respondent No.1	:-	Mr. Sharad Mishra, Panel Lawyer.
For Respondent No.2	:-	Ms. Akanksha Jain, Advocate.

SB- Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

26.02.2026

1. Since the common question of law and facts are involved in these two writ petitions, they are clubbed together, heard together are being disposed off by this common order.

2. The petitioners have questioned the order dated 19.02.2020 by which while instituting departmental enquiry recovery has been sought from the monthly salary of the petitioners.

3. Ms. Deepali Pandey, learned counsel for the petitioners, would submit that the departmental enquiry is still pending and the recovery of amount has been passed which is not in accordance with law as the same may be

directed after completion of departmental enquiry and, therefore, the petitions deserve to be allowed.

4. Mr. Sharad Mishra, learned State counsel, and Ms. Akanksha Jain, learned counsel for respondent No.2, would oppose the prayed made by learned counsel for the petitioners.

5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and gone through the records with utmost circumspection.

6. Admittedly, vide order dated 19.02.2020 only departmental enquiry is instituted, but the same is still pending consideration and the amount, if any, is still to be adjudicated, therefore, order dated 19.02.2020 to the extent of directing recovery of amount for the monthly salary is hereby quashed, however, the remaining part of the order shall remain as it is.

7. In view of the above, the instant writ petitions stand disposed off. However, it is made clear that this Court has not expressed any opinion on the merits of the case.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit