



2026:CGHC:12779

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 6621 of 2019**

**1** - Ram Bharosa Sahu S/o Ram Prasad Sahu Aged About 56 Years Post Head Warder R/o Jail Parisar Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

**... Petitioner(s)****versus**

**1** - State Of Chhattisgarh Through Secretary Ministry Of Home Department, Mahanadi Bhawan, Naya Mantralaya, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**2** - Jail Superintendent Central Jail Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

**3** - Joint Director Treasury Department Durg, Chhattisgarh., District : Durg, Chhattisgarh

**... Respondent(s)**


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For Petitioner(s) : Mr. Anurag Jha, Advocate

For Respondent(s) : Mr. Sharad Mishra, P.L.

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**SB - Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****17.03.2026**

1. This writ petition is directed against order dated 22/07/2018 (Annexure P/1) by which the respondents have ordered for recovery of Rs. 58,042/- from the petitioner.
2. Learned counsel for the petitioner submits that the said amount has already been recovered from the petitioner and prior to passing the order of recovery, no opportunity of hearing has been granted to the petitioner, as such, the impugned order is unsustainable and bad in law as it is in violation of principles of natural justice.
3. Learned State counsel would support the impugned order and submit that this writ petition is liable to be dismissed.
4. I have heard learned counsel for the parties and perused the record.
5. Since the impugned order of recovery has been passed without affording any opportunity of hearing to the petitioner, it is in violation of principles of natural justice and as such, it is hereby aside. However, liberty is reserved in favour of the respondents to pass a fresh

order in accordance with law after giving opportunity of hearing to the petitioner.

**6.** Accordingly, this writ petition is allowed to the extent indicated herein-above.

Sd/-  
**(Sanjay K. Agrawal)**  
**Judge**

Harneet