



2026:CGHC:10162-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 180 of 2026**

- 1** - State Of Chhattisgarh Through Its Chief Secretary, Chhattisgarh Government Mahanadi Bhawan, Mantralaya New Raipur, Chhattisgarh (Res. No. 1)
- 2** - The Principal Secretary Chhattisgarh Government Koshal Vikas Technical Education And Rojgar Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh., District Raipur, Chhattisgarh
- 3** - The Principal Secretary Chhattisgarh Government Man Power And Planning Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh., District Raipur, Chhattisgarh
- 4** - The Secretary Chhattisgarh Government Koshal Vikas Technical Education And Rojgar Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh., District Raipur, Chhattisgarh
- 5** - The Commissioner Directorate Employment And Training Indrawati Bhawan, New Raipur, Chhattisgarh., District Raipur, Chhattisgarh
- 6** - The Joint Director Training, Directorate Employment And Training Indrawati Bhawan, New Raipur, Chhattisgarh., District Raipur, Chhattisgarh



7 - The Joint Director Training, Industrial Training Institutes Ambikapur Zone Chhattisgarh., District Surguja (Ambikapur), Chhattisgarh

8 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Ambagarh Chowki, District Rajnandgaon, Chhattisgarh., District Rajnandgaon, Chhattisgarh

9 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Abhanpur, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

10 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Rajnandgaon, District Rajnandgaon, Chhattisgarh., District Rajnandgaon, Chhattisgarh

11 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Koni, District Bilaspur, Chhattisgarh., District Bilaspur, Chhattisgarh

12 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Pratappur, District Surajpur, Chhattisgarh., District Surajpur, Chhattisgarh

13 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Akaltara, District Janjgir-Champa, Chhattisgarh., District Janjgir-Champa, Chhattisgarh

14 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Bhilai, District Durg, Chhattisgarh., District Durg, Chhattisgarh

15 - The Principal/ Training Superintendent Institute Incharge Industrial



Training Institute, Raipur, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

16 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Bhatapara, District Balodabazar, Chhattisgarh., District Balodabazar-Bhathapara, Chhattisgarh

17 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Kondagaon, District Kondagaon, Chhattisgarh., District Kondagaon, Chhattisgarh

18 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Nagri, Sihawa, District Dhamtari, Chhattisgarh., District Dhamtari, Chhattisgarh

19 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Basna, District Mahasamund, Chhattisgarh., District Mahasamund, Chhattisgarh

20 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Narayanpur, District Narayanpur, Chhattisgarh., District Narayanpur, Chhattisgarh

21 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Keshkel, District Kondagaon, Chhattisgarh., District Kondagaon, Chhattisgarh

22 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Mana, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

23 - The Principal/ Training Superintendent Institute Incharge Industrial



Training Institute, Pratappur, District Surajpur, Chhattisgarh., District Surajpur, Chhattisgarh

24 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Gaurella, District Bilaspur, Chhattisgarh., District Bilaspur, Chhattisgarh

25 - The Principal/ Training Superintendent Institute Incharge Industrial Training Institute, Mana Camp, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

... Appellant(s)

versus

1 - Teja Ram S/o Shri Peetamber Aged About 33 Years Working As Diesel Mechanic Instructor, Government I T I Raipur, District Raipur, 5 R/o Kugda, Kumhari, Post Urla Bmy, District Durg, Chhattisgarh, Chhattisgarh

2 - Santosh Kumar Verma S/o Sh. M. R. Verma Aged About 38 Years Working As Copa Instructor, Government I T I Abhanpur, District Raipur, R/o Mahadev Nagar, Changora Bhatha Raipur, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

3 - Gyanesh Chand Bhoi S/o Sh. Vinod Bihari Bhoi Aged About 35 Years Working As Electrician, Government I T I Abhanpur, District Raipur, R/o Vill Gerabhata, Post Rosada, Thana Basna, District Mahasamund, Chhattisgarh., District Mahasamund, Chhattisgarh

4 - Uma Sahu S/o Sh. Bahrta Ram Sahu Aged About 33 Years Working As Electrician Instructor, Government I T I Abhanpur, District Raipur, R/o Vill And Post Office Hardi, Jarwe, District Janjgir-Champa, Chhattisgarh., District Janjgir-Champa, Chhattisgarh



5 - Suryabhan Singh S/o Sh. Suresh Kumar Aged About 31 Years Working As Electrician Instructor, Government I. T. I. Rajandgaon, District Rajandgaon, R/o Ward No. 13 Qtr. No. 361, Ram Mandir Colony Nandani Nagar, District Durg, Chhattisgarh., District Durg, Chhattisgarh

6 - Daneshwar Prasad Sinha S/o Sh. Channu Lal Sinha Aged About 41 Years Working As Electrician Instructor, Government I T I Rajandgaon, District Rajandgaon, R/o Shastri Chowk, Tulsipur Ward No. 16, Rajnandgaon, Chhattisgarh., District Rajnandgaon, Chhattisgarh

7 - Girish Kumar Sahu S/o Sh. Bodhi Ram Sahu Aged About 35 Years Working As Instrument Mechanic Instructor, Government I T I Koni District Bilaspur, R/o Village Post Janjgiri, Tehsil Dhamdha, District Durg, Chhattisgarh., District Durg, Chhattisgarh

8 - Sahadew Prasad Dewangan S/o Sh. Bund Ram Dewangan Aged About 40 Years Working As Machinist Instructor, Government I T I Koni, District Bilaspur, R/o M I G 65 li Housing Board Colony Khamtarai, Bilaspur, Chhattisgarh., District Bilaspur, Chhattisgarh

9 - Jeetendra Kumar Sao S/o Sh Jhumuk Lal Sao Aged About 43 Years Working As Electrician Instructor, Government I T I Pratappur, District Surajpur, R/o Village Post Kusmi, Tehsil Berla, Thana Berla, District Bemetara, Chhattisgarh., District Bemetara, Chhattisgarh

10 - Barat Lal Pradhan S/o Sh. Ram Ji Pradhan Aged About 43 Years Working As Electrician Instructor, Government I T I Pratappur, District Surajpur, R/o Village Amanar, Post Hardi S, Tahsil Nawagarh, District Janjgir-Champa, Chhattisgarh., District Janjgir-Champa, Chhattisgarh

11 - Lakhan Lal Dewangan S/o Sh. Ram Say Dewangan Aged About 40 Years Working As Diesel Mechanic Instructor, Government I T I



Akaltara, District Janjgir-Champa, R/o V P O Nawagarh, Via Shiwari Narayan, District Janjgir-Champa, Chhattisgarh., District Janjgir-Champa, Chhattisgarh

12 - Sangeeta Sonpipre D/o Sh. Nilesh Sonpipre Aged About 35 Years Working As Copa Instructor, Government I T I Bhilai, District Durg, R/o Qtr. No. 8/a, Street No. 13, Sector- 2, Bhilai, District Durg, Chhattisgarh., District Durg, Chhattisgarh

13 - Ganesh Ram Bandhe S/o Sh Ram Prasad Bandhe Aged About 39 Years Working As Electrician Instructor, Government I T I Ambagarh Chowki, District Rajnandgaon, R/o Village Daimar, Post Dewada, Tehsil Patan District Durg, Chhattisgarh., District Durg, Chhattisgarh

14 - Devendra Singh Verma S/o Ratan Singh Verma Aged About 39 Years Working As Draughtsman, Civil Instructor, Government I T I Raipur, District Raipur, R/o V P O Chandkhuri., District Raipur, Chhattisgarh

15 - Vikas Kumar Adapwar S/o Sh. Narayan Raw Adapwar Aged About 41 Years Working As Draughtsman, Civil Instructor, Government I T I, Raipur, District Raipur, R/o Center Koni, Behind Masjid Ramayan Nagar Koni, Bilaspur, Chhattisgarh., District Bilaspur, Chhattisgarh

16 - Raghvendra Kumar Sinha S/o Sh. Shiv Prasad Sinha Aged About 37 Years Working As Copa Instructor, Government I T I Raipur, District Raipur, R/o Village Kopra, Tehsil Rajim, District Gariyaband, Chhattisgarh., District Gariyabandh, Chhattisgarh

17 - Dilip Singh Thakur S/o Shri Prahlad Singh Thakur Aged About 37 Years Working As Electrician Instructor, Government I T I Bhatapara, District Balodabazar, R/o Ward No. 23, Gali No. 1, Near Rewa Talab Deepak Nagar, District Durg, Chhattisgarh., District Durg, Chhattisgarh



18 - Rajesh Kumar Awasthy S/o Sh. K. N. Awasthy Aged About 42 Years Working As Electrician Instructor, Government I T I Kondagaon, District Kondagaon, R/o H No. 552, Power Colony Ramnagar Supela, Bhilai, District Durg, Chhattisgarh., District Durg, Chhattisgarh

19 - Rajesh Singh Kushwaha S/o Sh. J. P. Kushwaha Aged About 39 Years Working As Electrician Instructor, Government I T I Nagri Sihawa District Dhamtarir, R/o Qtr. No. 3, T. T. C. Colony Mana Camp, Raipur, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

20 - Yashwant Kumar Nayak S/o Sh. Tarachand Nayak Aged About 37 Years Working As Draughtman Mechanical Instructor, Government I T I Basna District Mahasamund, R/o Village Kosambuda, Post 7 Barula, District Gariyaband, Chhattisgarh., District Gariyabandh, Chhattisgarh

21 - Sudhir Kumar Gupta S/o Sh. Nirmal Kumar Gupta Aged About 37 Years Working As Fitter Instructor, Government I T I Narayanpur, District Narayanpur, R/o Near Bus Stand Kranti Lodge Keshkal, District Kondagaon, Chhattisgarh., District Kondagaon, Chhattisgarh

22 - Vishnu Prasad Sahu S/o Sh. Itwari Ram Aged About 46 Years Working As Electrician Instructor, Government I T I Keshkel District Kondagaon, R/o Village And Post Haldi, Tehsil Gunderdehi, District Balod, Chhattisgarh., District Balod, Chhattisgarh

23 - Pawan Kumar Sharma S/o Sh. Khedu Prasad Sharma Aged About 40 Years Working As Diesel Mechanic Instructor Government I T I Mana District Raipur, R/o Ward No. 8, Pawan Niwas Arya Nagar, Kohka, Bhilai, District Durg, Chhattisgarh., District Durg, Chhattisgarh

24 - Bhaskar Ganvir S/o Shri A. L. Ganvir Aged About 43 Years Working As C O P A Instructor, Government I T I Rajanandgaon, District



Rajandgaon, R/o Station Para Ward No. 13, Teachers Colony
Rajanandgaon, District Rajanandgaon, Chhattisgarh., District
Rajnandgaon, Chhattisgarh

25 - Ashish Kumar Hansa S/o Shri Sitaram Hansa Aged About 41 Years
Working As Fitter Instructor, Government I T I Rajanandgaon, District
Rajandgaon, R/o C/o Hansa Video Games Nandi Chowk, Tikrapara,
Raipur, District Raipur, Chhattisgarh., District Raipur, Chhattisgarh

26 - Smt. Mamta Dewangan W/o Shri Mukesh Dewangan Aged About
34 Years Working As C O P A Instructor, Government I T I Pratap Pur,
District Surajpur, R/o Government I T I Campus Pratap Pur, District
Surajpur, Chhattisgarh., District Surajpur, Chhattisgarh

27 - Smt. Mini Abha Pandey W/o Shri Ajay Pandey Aged About 34 Years
Working As Electrician Instructor, Government I T I Gaurella, District
Bilaspur, Chhattisgarh, R/o Civil Line Mangal Bazar Kharsia, District
Raigarh, Chhattisgarh., District Raigarh, Chhattisgarh

28 - Parmeshwar Kaushik S/o Shri K. R. Kaushik Aged About 46 Years
Working As Fitter Instructor, Government I T I Koni, Bilaspur, District
Bilaspur, R/o Q No. L 2-44, Aashirwad Vally Bodary, Raipu Road,
Bilaspur, Chhattisgarh., District Bilaspur, Chhattisgarh

29 - Bajarnag Lal Gadhewal S/o Shri Latel Ram Gadhewal Aged About
42 Years Working As Motor Mechanic Instructor, Government I T I Mana
Camp, District Raipur, R/o Village Bhaisda, Post Office Akaltari, District
Janjagir-Champa, Chhattisgarh., District Janjagir-Champa, Chhattisgarh

... Respondent(s)

For Appellant(s) / State : Mr. Prasun Kumar Bhaduri, Dy A.G.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

27.02.2026

1. The present writ appeal is preferred assailing the order dated 20.12.2024 passed by the learned Single Judge in WPS No. 6547/2024 (***Laxman Chandra Sarkar vs. State of Chhattisgarh and Others***), whereby, the writ petition filed by the respondent No.1 herein was allowed and the recovery orders issued by the appellant herein have been set-aside with direction to refund the recovered amount to the writ-petitioner/respondent No.1 herein.
2. It has been pointed out by learned counsel, appearing for the appellant as well as learned counsel appearing for the respondents that in an identical matter, this Bench had dismissed ***WA No. 51/2025 (Chhattisgarh State Dairy Co-Operative Federation Ltd. vs. Radhe Lal Sinha & Others)*** vide order dated 27.01.2025, observing as follows :

“8. From perusal of the impugned order, it transpires that the learned Single Judge has allowed the writ petition filed by the writ petitioner / respondent No.1 herein observing that with regard to undertaking, in the absence of any statutory rule, it cannot be held that undertaking given by the writ petitioners would be binding over them. Respondent No. 3 / appellant herein has not placed on the record rules etc, to



establish that in the service rules or revision of pay rules, there is any provision with regard to undertaking, therefore, in the absence of rules, it cannot be held that the undertaking, if any, given by the writ petitioners would be binding upon them. Admittedly, the writ petitioners are employees of respondent No. 3 and they were holding Class-I to Class-IV posts under respondent No. 3. The decision was taken by the Board of Directors on 24.09.2011 and pursuant to that an order was passed by respondent No. 3 to extend the benefit of time scale pay to the writ petitioners and the said benefit was extended. Later on, the Board of Directors again passed a resolution to extend the benefit of second time scale pay in favour of the writ petitioners and again specific order was issued by respondent No. 3 / appellant herein on 25.06.2016. Thus, it cannot be said that there was any misrepresentation on the part of the writ petitioners to get the benefit of time scale pay. The department detected the mistake after a lapse of 12 years from 2011 and after the lapse of 07 years from 2016.

9. *Learned Single Judge has further relief upon the judgment passed by the Hon'ble Apex Court in the matter of State of Punjab vs. Rafiq Masih (White Washer) and others, (2015) 4 SCC 34 and has held that it is an admitted fact that the benefit was extended by the department itself. It is also not in dispute that all the writ petitioners have got retired from services. Lastly, taking into consideration the facts and law laid down by the Hon'ble Apex Court, the learned Single Judge concluded that the orders of recovery are not sustainable in the eyes of law, therefore, the recovery*



orders issued by the respondent No. 3 / appellant herein was quashed.

10. Considering the submissions advanced by the learned counsel for the parties and the finding recorded by the learned Single Judge while allowing the writ petition filed by the writ petitioner / respondent No.1 herein, we are of the considered opinion that the learned Single Judge has not committed any illegality, irregularity or jurisdictional error in the impugned order warranting interference by this Court.

*11. Accordingly, the writ appeal being devoid of merit is liable to be and is hereby **dismissed**. No cost(s)"*

They further submit that since the facts and issue involved in the present case is identical to that of **WA No. 51/2025**, this appeal may also be dismissed in the same terms.

3. Having considered the rival submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this appeal is identical to WA No. 51/2025, this Court deems it appropriate not to take a view other than what has been taken in WA No. 51/2025.
4. Accordingly, the present appeal is **dismissed** in terms of the order dated 27.01.2025 passed in **WA No. 51/2025**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice