



HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

WPS No. 3557 of 2021

Kamalkishor Gangaber Vs. State of Chhattisgarh & Others

14/07/2021	Mr. Naveen Nirala, Advocate, for Petitioner. Mr. Jitendra Pali, Dy. A.G., for Respondents/State, on advance copy. Heard on admission. Writ Petition is admitted for hearing. Since learned Dy. Advocate General accepts notice on behalf of all the Respondents, issuance of notice to them stands dispensed with. Learned Dy. Advocate General prays for and is granted a short adjournment to file their reply. Also heard on I.A. No.1 - application for grant of interim relief. Considering the fact that the alleged excess payment has been made more than 10 years prior to the impugned notice of recovery being issued; moreover, the impugned notice does not reflect of any opportunity of hearing being granted to the employee before issuance of the same, prima facie, a strong case for grant of interim relief is made out. Accordingly, it is ordered that till the next date of hearing, there shall be a stay on the effect and operation of the impugned notice, Annexure P-1, dated 14.6.2021. It is made clear that the Respondents shall not make any recovery arising out of the alleged excess payment reflected in Annexure P-1, till the next date of hearing. As prayed for by learned Dy. A.G., list this case on 24.8.2021. Sd/- (P. Sam Koshy) JUDGE
sharad	