



2026:CGHC:20151

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4009 of 2019

**1 - Sukhman Ram Markam S/o Basu Ram Markam Aged About 40 Years
Teacher (L.B.) Government Primary School Silati, R/o Village Sitali, Tahsil
And District Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh**

--- Petitioner

versus

**1 - State Of Chhattisgarh Through Its Secretary Department Of School
Education, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh**

**2 - Secretary, Department Of Panchayat And Rural Development,
Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh**

**3 - District Education Officer, Kondagaon, District - Kondagaon,
Chhattisgarh, District : Kondagaon, Chhattisgarh**

4 - Chief Executive Officer, Janpad Panchayat Kondagaon, District

Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

5 - Block Education Officer, Kondagaon, District Kondagaon, Chhattisgarh,
District : Kondagaon, Chhattisgarh

--- Respondent(s)

WPS No. 4112 of 2019

1 - Anil Kumar Sahu S/o Suresh Prashad Sahu Aged About 44 Years
Teacher (L.B.), Government Primary School Nagari, R/o Village
Baniyagoan, Tahsil And District Kondagaon Chhattisgarh., District :
Kondagaon, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of School
Education Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

2 - Secretary Department Of Panchayat And Rural Development,
Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

3 - District Education Officer Kondagaon, District Kondagaon
Chhattisgarh., District : Kondagaon, Chhattisgarh

4 - Chief Executive Officer Janpad Panchayat Kondagaon, District
Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

5 - Block Education Officer Kondagaon, District Kondagaon Chhattisgarh.,
District : Kondagaon, Chhattisgarh

--- Respondent(s)

WPS No. 4120 of 2019

1 - Antu Ram Sori S/o Rongiram Sori Aged About 42 Years Assistant
Teacher (L.B.), Government Primary School Kongera, R/o Village
Khadakapara Mulmula, Tahsil And District Kondagaon Chhattisgarh.,
District : Kondagaon, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of School
Education Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

2 - Secretary Department Of Panchayat And Rural Development
Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

3 - District Education Officer Kondagaon, District Kondagaon
Chhattisgarh., District : Kondagaon, Chhattisgarh

4 - Chief Executive Officer Janpad Panchayat Kondagaon, District
Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

5 - Block Education Officer Kondagaon, District Kondagaon Chhattisgarh.,
District : Kondagaon, Chhattisgarh

--- Respondent(s)

WPS No. 4633 of 2019

1 - Asadu Ram Netam S/o Maklu Ram Netam Aged About 47 Years
Assistant Teacher (L.B.) Government Primary School Madanar, R/o
Village Malakot, Tahsil And District Kondagaon Chhattisgarh., District :
Kondagaon, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of School
Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

2 - Secretary Department Of Panchayat And Rural Development,
Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

3 - District Education Officer Kondagaon District Kondagaon
Chhattisgarh., District : Kondagaon, Chhattisgarh

4 - Chief Executive Officer Janpad Panchayat Kondagaon District
Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

5 - Block Education Officer Kondagaon District Kondagaon Chhattisgarh.,
District : Kondagaon, Chhattisgarh

--- Respondent(s)

For Petitioner(s) : Ms. Zainab Vanak on behalf of Mr. Mateen
Siddiqui, Advocates

For Respondent(s)/ : Mr. Amit Buxy, Dy. G.A.

State

SB - Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30.04.2026

1. Since common question of law and facts are involved in all these appeals, therefore, they have been clubbed together, heard together and are being decided by this common order.
2. By way of these writ petitions preferred under Article 226 of the Constitution of India, the petitioners have challenged the order dated 06/04/2017 (Annexure P/1) issued by the CEO, Janpad Panchayat, Kondagaon by which excess amount paid to the petitioners against revised pay-scale from May, 2013 to October, 2016 has been sought to be recovered. The amount that has been sought to be recovered from each of the petitioners is as stated below :-

<u>Writ Petition No.</u>	<u>Petitioner's Name</u>	<u>Recovery Amount</u>
4009/2019	Sukhman Ram Markam	Rs. 2,37,706/-
4112/2019	Anil Kumar Sahu	Rs. 2,37,706/-
4120/2019	Antu Ram Sori	Rs. 3,86,625/-
4633/2019	Asadu Ram Netam	Rs. 3,86,385/-

3. Learned counsel for the petitioners would submit that without affording any opportunity of hearing to the petitioners, straightway order of recovery has been passed, which is in violation of principles of natural justice, therefore, impugned orders are liable to be set aside.
4. Learned State counsel would support the impugned orders and submit that the instant writ petitions are liable to be dismissed.
5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the record with utmost circumspection.
6. A careful perusal of the impugned orders would show that straightway orders for recovery, for alleged excess amount paid to the petitioners towards revised pay-scale from May, 2013 to October, 2016, has been passed without giving a reasonable opportunity of hearing to the petitioners, which is in teeth of principles of natural justice. Accordingly, impugned orders dated 06/04/2017 (Annexure P/1 in all the writ petitions) are

hereby set aside and matter is remitted to the competent authority of school education who will issue notices to the petitioners and thereafter, pass a fresh order absolutely in accordance with law, expeditiously.

7. Accordingly, all these writ petitions are allowed to the extent indicated herein-above. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet