

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2846 of 2020**

1. Vaibhav Gayakwad S/o Umakant Gayakwad Aged About 25 Years R/o Ward No. 18, House No. 823, Tilak Nagar, Chatapara, Tahsil And District Bilaspur Chhattisgarh
2. Ekta Gayakwad D/o Umakant Gayakwad Aged About 28 Years R/o Ward No. 18, House No. 823, Tilak Nagar, Chatapara, Tahsil And District Bilaspur Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Principal Chief Conservator Of Forest (Administration /Non Gazetted) Aranya Bhawan, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Conservator Of Forest, Bilaspur, District Bilaspur, Chhattisgarh
4. The Divisional Forest Officer, Forest Division, Bilaspur, District Bilaspur Chhattisgarh
5. Joint Director, Finance-Accounts And Pension Bilaspur Division, District Bilaspur Chhattisgarh

---- Respondents

For Petitioners : Mr. Ritesh Verma, Advocate

For Respondents : Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**ORDER****20.07.2020**

1. Learned counsel for the petitioners would submit that the petitioners claimed that they are the nominee of Dinesh Kumar Gayakwad who died on 16.09.2019. After his death, he did not have any family as such the petitioners were declared nominees for all the purposes in requisite forms to receive the retiral dues. The deceased was working as Forest Guard and subsequent to his death though the applications have been filed by the petitioners with all the necessary documents to grant them the retirement

dues but the same remains undecided. Therefore, at this stage, the petitioners claim Annexure P-3 which is lastly filed on 20.10.2019 may be decided and the retiral dues may be released in favour of the petitioners.

2. Without any observation on the merit of the case, at this stage, since the petitioners claimed that their application for retiral benefit was filed and remains undecided, the respondent Chief Conservator of Forest Bilaspur to whom the application is pending is directed to decide the application of the petitioners to release the retiral dues of the deceased Dinesh Kumar Gayakwad, who is said to be paternal uncle of the petitioners, according to the endorsement made in nomination column of service book. It is further observed that the authority shall adjudicate the right of the petitioners in terms of the existing rules and nomination in their favour. It is made clear that this Court has not made any observation on the merit of this case about the right of the petitioners. The application of the petitioner shall be decided in terms of nomination made by deceased within a period of 4 months from the date of receipt of a copy of this order.
3. With the aforesaid observations, the writ petition stands disposed off.

Aks

Sd/-
Goutam Bhaduri
Judge