

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3944 of 2021**

T. R. Jaiswal S/o Late Janak Ram Jaiswal, Aged About 64 Years
(Retired Assistant Conservator Of Forest) R/o H. N. 448, Near Golden
Nursery School, Shanti Nagar, Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Under Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
3. Principal Chief Conservator Of Forest, Aranya Bhawan, North Block Sector-19, Nava Raipur, District Raipur, Chhattisgarh
4. Divisional Forest Officer, Forest Division Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Prasun Kumar Bhaduri, Advocate
For State	:	Mr. Ishan Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02.08.2021**

1. The present writ petition has been filed alleging the inaction on the part of respondents in not settling the retiral dues payable to petitioner in spite of the fact that the petitioner stands retired from service on 30.11.2019 i.e. more than 1 ½ years now.
2. The petitioner in the present writ petition working on the post of Assistant Conservator of Forest retired from service on 30th

November, 2019. However, subsequent to his retirement though more than 1 ½ years have lapsed, till date his retiral dues have not been finalized.

3. Counsel for petitioner submits that just before his retirement on 25.11.2019 the petitioner was served with a charge-sheet. However in due course of time, the respondents have closed the departmental inquiry initiated and dropped the charges levelled against the petitioner. That as such the petitioner stands exonerated from all the allegations levelled against him. Apart from the said charge-sheet there was no other show-cause notice or disciplinary proceeding or a criminal case whatsoever pending against the petitioner for withholding the retiral dues payable to the petitioner.
4. State counsel submits that given the aforesaid factual matrix, subject to verification of facts, the claim of petitioner shall be decided at the earliest.
5. Given the said submissions made by the counsel for the parties, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending under the given factual backdrop. Accordingly, the writ petition stands disposed of directing the respondent no.1 to take all necessary steps in ensuring that the entire retiral dues payable to the petitioner, subject to due verification of the entitlement part, be settled at the earliest, preferably within a period of 90 days from the date of receipt of a copy of this order.
6. In case the settlement of the admissible dues is not done within 90 days, the entire retiral dues including pension and gratuity shall carry interest @ 10% per annum from the date of retirement till the actual date of payment. The amount of interest shall be recoverable from the

erring officials who do not promptly process the claim of the petitioner for releasing and settlement of his retiral dues.

7. With the aforesaid observation the writ petition stands allowed and disposed off.

**Sd/-
(P. Sam Koshy)
Judge**