

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
AT DEHRADUN**

CLAIM PETITION NO. 50/SB/2024

Sri Ramkrishna Kukshal, Employee No. 010095781, Range Officer (Retired),
s/o Late Shri Ganesh Prasad, Forest Division Tons, Purola, Uttarkashi,
Uttarakhand.

.....Petitioner

vs.

1. State of Uttarakhand through Principal Secretary, (Forest & Environment),
Civil Secretariat, Subhash Road, Dehradun.
2. The Principal Chief Conservator of Forests (HoFF), Uttarakhand, 85 Rajpur
Road, Dehradun.
3. The Conservator of Forests (Yamuna Circle), 85 Rajpur Road, Dehradun.

.....Respondents

Present: Lt. Col. Nidhikant Dhyani, Advocate, for the petitioner.
Sri V.P. Devrani, A.P.O. for the State Respondents.(online)

JUDGMENT

DATED: JUNE 04, 2024

Justice U.C.Dhyani (Oral)

Petitioner is a Forest Range Officer (retired), Forest Division Tons,
Purola, Uttarkashi. By means of present claim petition, petitioner seeks the
following reliefs:

*“(a) That directions may be passed for quash/cancel/recall of suspension
order bearing No 02/1-15 (HRD) dt 23 Aug 2023*

*(b) That directions and orders may be passed for quash/cancel/recall the
charge sheet bearing No 1110/1-15 (HRD) dt 29 Dec 2023.*

(c) That directions may be passed to grant all consequential financial and service benefits and entitlements during the period of suspension, having been cleared from all charges, precisely from 24 Aug 2023 onwards with 12% simple interests.

(d) That the directions may be passed to release/clear applicant's pensionary benefits and entitlements immediately including the withheld dues for the period of suspension to the date of retirement with interests.

(d) To pass any such further order or orders, direction/directions as this Hon'ble Tribunal may deem fit and proper in accordance with the law

(e) To award the cost of this petition to the applicant."

2. Interim relief has also been sought for directions to release the pensionary benefits and entitlement of the applicant forthwith along with the withheld entitlement during suspension period with 12% simple interest.

3. The claim petition is supported by the affidavit of petitioner. Relevant documents have been filed with the claim petition.

4. Ld. Counsel for the petitioner submitted that the petitioner has retired as Forest Range officer on 29.02.2024, during the period of suspension. Ld. Counsel for the petitioner further submitted that charge-sheet was issued to him on 29.12.2023.

5. As of now, Ld. Counsel for the petitioner pressed for release of retiral dues to the petitioner and submitted that petitioner will make a representation to the Principal Chief Conservator of Forests (HoFF), Uttarakhand, Respondent No.2, for release of his retiral dues, who may kindly be directed to decide petitioner's representation as quickly as possible to enable the petitioner to sustain his family. Ld. A.P.O., on seeking instructions from the respondent department, submitted that he has no objection to the innocuous prayer of Ld. Counsel for the petitioner if a direction is given to Respondent No.2 to decide the representation of the petitioner, in accordance with law.

6. Ld. Counsel for the parties agree that the claim petition may be disposed of, at the admission stage, with the aforesaid direction. They also submitted that such a direction may be given by the Single Judge of the Tribunal.

7. The claim petition is disposed of, at the admission stage, by directing Respondent No.2 to decide the representation of the petitioner, by a reasoned and speaking order, as per law, as expeditiously as possible, without unreasonable delay, preferably within 12 weeks of presentation of certified copy of this order along with representation, enclosing the documents in support thereof. No order as to costs.

8. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JUNE 04, 2024.
DEHRADUN

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