

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. OA – 284 of 2022**

**Lakshmikanta Mondal - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. D. Kundu, Advocate
<u>8</u> 12.12.2022	For the Respondents	: Mr. M.N. Roy, Advocate
	For the Pr. A.G. (A & E), West Bengal	: Mr. B. Mitra, Departmental Representative

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

It appears that a prayer for pay protection of the applicant has not been done due to loss of the original Service Book. Learned counsel points out that the Superintendent Engineer has certified that the Service Book is not traceable and without a Service Book his prayer for pay protection and revised pension cannot be processed. Learned counsel for the applicant prays for a direction to reconstruct the Service Book. He also prays for liberty to add Joint Secretary (Personnel) of the Public Works Department as a necessary party in the array of respondents. Liberty is also given to furnish a representation to the Joint Secretary (Personnel) by the applicant ventilating his grievance and requesting for reconstructing his Service Book and his payer for pay protection.

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**THE STATE OF WEST BENGAL & ORS.**

Mr. Ray agrees that unless the Service Book is reconstructed, his prayer cannot be processed.

After hearing both the learned counsels, Respondent No. 2(v), Joint Secretary (Personnel), Department of Public Works is directed to consider the representation for reconstructing the Service Book and pay protection if furnished by the applicant before him. If such a representation is furnished, the task of reconstructing his Service Book should begin within three weeks from the date of submission of the Representation and it is desired that it should be completed with the cooperation of the applicant within three months from the date it started.

Accordingly, the matter is disposed of.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P