

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 396 of 2023.

BISHES @ CHOTAN KUMAR JHA –Vs- THE STATE OF WEST BENGAL & ORS

Serial No. and  
Date of order

1  
17.7.2023

For the Applicant : Ms. Priyanka Pal,  
Advocate.

For the State respondents : None.

For the Principal Accountant General (A & E) W.B. : 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 (Pt. – II) 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Liberty given to modify the respondent no. 1- as Secretary, Land and Land Reforms Department, Nabanna.

Prayer in this application is for a direction to the respondent authorities to release the family pension to the applicant.

It appears that the applicant is certified to be 75% physically disabled and dumb person. The applicant's father Prafulla Kumar Jha , an employee of Malda District Collectorate was a pensioner after his retirement on 01.8.1978 till his death on 7.5.2002. The applicant relies on a Notification No. 550/1(Pen) dated 13.4.1993. In this regard, the applicant had submitted several representations before the

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respondent authorities. It also appears from this application that several correspondences were exchanged between the Office of the District Magistrate, Malda and the Principal Accountant General. The last such correspondence is dated 14<sup>th</sup> July, 2023 from the office of the Principal Accountant General (A & E) West Bengal addressed to the District Magistrate, Malda in which the issue of reconstruction of the service book of the deceased employee, Prafulla Kumar Jha has been mentioned. The letter also suggest that if it is not possible to reconstruct the service book, the approval of the Finance Department may be obtained for specific sanction for dispensation of requirements of service book for releasing family pension in favour of Sri Bishes @ Chhotan Kumar Jha. Let this letter be kept on record.

The matter is admitted.

Since none has appeared on behalf of the respondent no. 5 – the office of the District Magistrate, Malda, let a copy of this order be communicated by the learned counsel for the applicant to respondent no.5 with a direction to file a status report before this Tribunal on the next date regarding the issue of reconstruction of the service book as well an update on the proposal for family pension in favour of the applicant.

Let the matter appear on 18<sup>th</sup> September, 2023 under the heading “Hearing”.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

Skg.