

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. –OA 530 of 2023

Mitali Dey - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

:

Mr. P. Basak,
Learned Advocate.

03

26.06.2024.

For the State Respondents

Mr. S.K. Mondal,
Learned Advocate.

For the Pr. A.G.W.B.

Mr. B. Mitra.

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 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

Mr. Mondal, learned counsel files a copy of Memo 657 dated 19.06.2024 issued by Deputy Director of Animal Resources Dev. & Parishad Officer, Jhargram. Submission of Mr. Mondal is that by this Memo, the applicant had been advised to submit certain documents before the office of the respondent authority to enable then to process further for the sanction of family pension to the applicant. Mr. Basak, learned counsel for the applicant assures that most of these documents are available and will be submitted as desired before the respondent's office at the earliest date. However, he points out that the following documents are not available with the applicant :-

- a) Duplicate service book of late Girijapati Dey.
- b) Attested copies of death certificate of late Girijapati Dey.
- c) Last Basic Pay, Date of Birth of beginning of Service of Late Girijapati Dey.

As regards document No. 6, School Certificate, as a proof of age, Mr. Basak doubts whether the applicant who may not have completed his education would be having such a school certificate. However, in place of school certificate, Mr. Basak points out that other documents are available as proof

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THE STATE OF WEST BENGAL & OTHERS.

of age of the deceased employee. Mr. Basak also states that duplicate service book and death certificate of the deceased employee are not available with them for the reason that the employee had died in service way back on December 11, 1963. Therefore, availability of such documents, either with the applicant or within the office of the respondent is very remote.

Let the available documents with the applicant be submitted with a descriptive cover letter addressed to the respondent authority within thirty days from today. If such documents are submitted by the applicant, the respondent No. 2(1)(e), Deputy Director, Animal Resources Dev. & Parishad Officer, Jhargram is directed to further process and submit an update through the legal counsel before this Tribunal on the next date.

Let the matter appear under the heading Hearing on **25.09.2024.**

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

SC