

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. – OA-547 of 2020

Achinta Bairagi - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant : Mr. S.K. Nandi,
Learned Advocate.
For the State Respondent : Mr. G.P. Banerjee,
Learned Advocate.

02
19.02.2021

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24.12.2020 issued in exercise of the power conferred under Sub-Section (6) of Section 5 of the Administrative Tribunal Act, 1985.

Affidavit of service has been filed. Let it be kept with the record.

The applicant has filed this application praying for the following relief :-

- a) Order/orders be passed directing the respondent authorities concerned to grant benefits stipulated in the circulars being Memo No. 9008-F(P) Kolkata, dated 16.09.2011, Memo No. 1107-F(P), Howrah dated 25.02.2016 and other related circulars issued by the Government extending the benefits to the Daily Rated/Casual/ Contractual employees of the West Bengal including the applicant.
- b) Order/orders be passed directing the respondent authorities concerned to grant the benefits stipulated in the circulars being Memo No. 9008-F(P), Kolkata dated 16.09.2011, Memo 1107-F(P),

ORDER SHEET

Form No.

Achinta Bairagi

Case No. **OA-547 of 2020**

Vs.

State of West Bengal & Ors.

02
19.02.2021

Howrah dated 25.02.2016 following the Memo No. 399 BF (P2) dated 15.07.2019 and other related circulars issued by the Government holding that the applicant is a casual worker and is entitled to have the entire benefits as mentioned in Memo No. 9008-F(P) dated 16.09.2011, 25.02.2016, 15.07.2019 and other related memos/circulars issued by the Govt.

- c) Order/orders be passed as the Hon'ble Tribunal may deem fit and proper by considering the similiary situated persons as reliefs granted to the other employee in view of the orders passed by the Learned Tribunal dated 26.08.02018 in OA-579 of 2018 and order dated 19.08.2019 in OA-77 of 2019 respectively.

As per the applicant, he is working as daily rated casual worker for more than ten years.

During the course of hearing the counsel for the applicant has submitted that he wants to make a comprehensive representation before the Respondent No. 2, Principal Secretary, Fire & Emergency Services for extension of benefit of circulars as mentioned in the instant application treating the application as a part of the said representation and to take a final decision by way of a reasoned and speaking order within a stipulated period of time.

The counsel for the respondent has no objection to such proposition.

ORDER SHEET

Form No.

Achinta Bairagi

Case No. **OA-547 of 2020**

Vs.

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02

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In view of the above, the Respondent No. 2 is directed to take a final decision with regard to enhancement and extension of benefit of the circulars mentioned in this instant application alongwith the comprehensive representation if any, within a period of three months from the date of receipt of this order. Accordingly, OA is disposed of with no order as to costs.

URMITA DATTA (SEN)
MEMBER (J)

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