

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA 473 of 2021

Jugraj Hela -- 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. S. Ghosh, Ld. Advocate.
<u>10</u> 05.09.2022	For the Finance Deptt., WB	: Mr. G.P. Banerjee, Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The instant application has been filed praying for the following reliefs :

“(a) 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 16th September, 2011,Memorandum No. 1107-F(P) Howrah dated 25th February, 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 16th September, 2011,Memorandum No. 1107-F(P) Howrah dated 25th February, 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) Kolkata dated 16th September, 2011, 25th February, 2016, 15th July, 2019 and other related memos/Circulars issued by the Government.

(c) Order/orders be passed as the Hon'ble Tribunal may deem fit and proper by considering the similarly situated persons as reliefs granted to the other employee in view of the orders passed by the Learned Tribunal dated 26.09.2018 in O.A. No. 579 of 2018 and order dated 19.08.2019 in O.A. No. 77 of 2019 respectively.”

As per the applicant, during the pendency of the instant application, he has been engaged as contractual Group-D employee vide Memo. dated 06.11.2019 issued by the Divisional Fire Officer, North Kolkata Division,

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West Bengal Fire & Emergency Services. However, the arrear of the enhanced remuneration has not been paid to him. Therefore, he wants to withdrawn the instant application with a liberty to approach before the authority for arrear payment. The counsel for the respondents has no objection.

Accordingly, the OA is **dismissed as withdrawn** with a liberty to approach before the appropriate forum, if so advised. .

URMITA DATTA (SEN)
Officiating Chairperson & Member (J)

CSM/SS