

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **OA 170 of 2019**

Biswajit Halder & Ors.

Versus

The State of West Bengal & Ors.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

1

2

3

04
13/08/2019

For the Applicant : Mr. I. Mitra,
Mrs. S. Mitra,
Ld. Advocates.

For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

Supplementary application filed on behalf of the applicants today is kept on record.

The applicants have prayed for direction upon the respondents for grant of benefit in terms of memorandum no. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.

The contention of 103 applicants is that they were engaged on contract basis as Clerk with knowledge of computer operation under Labour Directorate, West Bengal with effect from the date of their joining on the basis of the order issued by the Labour Commissioner, West Bengal on October 21, 2010. The applicants used to draw fixed consolidated initial basic pay of ₹ 8840/- plus dearness allowances in terms of contractual appointment issued on October 21, 2010. The contractual service of the applicants was extended from time to time till date as reflected from the documents filed by the applicants. The grievance of the applicants is that they have not been given benefit of service in terms of memorandum no. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.

ORDER SHEET – (Continuation)

Form No.

Biswajit Halder & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA 170 of 2019**

Serial No. and date of order 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary. 3
	<p>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the Principal Secretary to the Government of West Bengal, Department of Labour should consider whether the applicants are entitled to get benefit in terms of memorandum no. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal on verification of records.</p> <p>Accordingly, the respondent no. 2, Principal Secretary to the Government of West Bengal, Department of Labour is directed to consider the entitlement of the applicants to get benefit in terms of memorandum no. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal on verification of records within a period of 16 (sixteen) weeks from the date of communication of the order and take necessary follow-up action, if any, within a period of 04 (four) weeks thereafter. With the above direction, the original application stands disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	

Csm