

ORDER SHEET
West Bengal Administrative Tribunal

Present.-

The Hon'ble Justice Ranjit Kumar Bag

&

The Hon'ble Dr. Subesh Kumar Das

Case No. OA 225 of 2019

Biswanath Mal

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.

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18/07/2019

For the Applicants : Mrs. S. Agarwal,
Ld. Advocate.

For the State Respondent : Mr. B.P Roy,
Ld. Advocate.

Affidavit of Service filed on behalf of the applicant
today is kept on record.

The applicant has prayed for direction upon the
respondents for grant of remuneration as casual
employee in terms of memorandum dated April 23,
2010 read with G.O. No. 11794-F (P) dated December
22, 2010 as well as in terms of memorandum no.
9008-F (P) dated September 16, 2011 and subsequent
memorandum dated February 25, 2016 issued by the
Finance Department, Audit Branch, Government of
West Bengal.

The contention of the applicant is that he was
engaged as casual employee in the establishment of
the respondent no. 4, District Controller (Food and
Supplies), Birbhum on September 01, 1999. The
further contention of the applicant is that he has been
paid fixed remuneration of ₹ 2000/- per month for
discharging his duty. The grievance of the applicant is

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	<p>that he has not been paid remuneration in terms of memorandum no. 9008-F (P) dated September 16, 2011 and subsequent memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are not in a position to decide whether the applicant is entitled to get remuneration as part time casual employee in terms of memorandum dated November 27, 2017 or as full time casual employee in terms of memorandum no. 9008-F (P) dated September 16, 2011 and subsequent memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal. In the absence of sufficient materials before us, we are of the view that the respondent no. 1 should take a decision on verification of records whether the applicant is entitled to get remuneration as part time casual employee or as full time casual employee.</p> <p>In view of our above observation, we direct the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Food and Supplies to consider whether the applicant is entitled</p>	

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	<p>to get remuneration as part time casual employee in terms of memorandum no. 3727-F dated May 20, 2009 being modified by memorandum no. 728F(P₂)/FA/O/2M-1 dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal or as full time casual employee in terms of memorandum no. 9008-F(P) dated September 16, 2011 and subsequent memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal on verification of records within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action within a period of 08 (eight) 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>	

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