

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA-274 of 2016**

Topan Chakraborty & 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

09
13/02/2019

For the Applicant : *Mr. M.N. Roy,*
Ld. Advocate.

For the State Respondent : *Mr. S.N. Ray,*
Ld. Advocate.

The applicants have prayed for direction upon the respondents for payment of enhanced monthly remuneration as casual worker in terms of memorandum no. 4011-F(P) dated May 20, 2013 issued by the Finance Department, Audit Branch, Government of West Bengal.

It appears from the materials on record that 15 (fifteen) applicants have been working in different capacity as casual employee in the establishment of Sub-Divisional Officer, Lalbagh, Murshidabad from the year 1989 to 2009. The applicants have been receiving monthly remuneration @ Rs. 4,600/- per month to Rs. 7,020/- per month from the date of their engagement till the date of filing of the original application. The contention of the applicants is that they have been deprived of enhanced monthly remuneration in terms of memorandum no. 4011-F(P) dated May 20, 2013 issued by the Finance Department, Audit Branch, Government of West Bengal, inspite of fulfillment of the criteria as Casual/Daily Rated/Contractual employees in the

ORDER SHEET – (Continuation)

Form No.

Topan Chakraborty & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA-274 of 2016**

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><i>establishment of Sub-Divisional Officer, Lalbagh, Murshidabad.</i></p> <p><i>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the applicants are entitled to get remuneration in terms of memorandum no. 4011-F(P) dated May 20, 2013 issued by the Finance Department, Audit Branch, Government of West Bengal, only if the applicants have fulfilled the criteria laid down in memorandum no. 9008-F(P) dated September 16, 2011 issued by the Finance Department, Audit Branch, Government of West Bengal, particularly paragraph (xiv) of the said memorandum dated September 16, 2011. Sufficient materials have not been placed before us to decide about the entitlement of the applicants to get remuneration in terms of memorandum dated May 20, 2013 as prayed by the applicants.</i></p> <p><i>In view of our above findings, the respondent no. 4, District Magistrate and Collector, Murshidabad is directed to consider entitlement of the applicants to get remuneration in terms of memorandum no. 9008-F(P) dated September 16, 2011 issued by the Finance Department, Audit Branch, Government of West Bengal and subsequent memo issued from time to time by the</i></p>	

ORDER SHEET – (Continuation)

Form No.

Topan Chakraborty & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA-274 of 2016**

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><i>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, if any, within a period of 8 (eight) weeks thereafter. With the above direction, the original application stands disposed of.</i></p> <p><i>Let a Plain Copy of the order be supplied to both parties.</i></p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	

Csm