

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. OA 320 of 2019

Prasanta Kr. Bagdi & 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.

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03
06/08/2019

For the Applicants : Mr. S. Datta,
Ld. Advocate.

For the State Respondent : Mr. S. Ghosh,
Ld. Advocate.

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

The applicants have prayed for direction upon
the respondents for grant of remuneration as casual
employees 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 applicants is that they
were engaged as casual employees in the
establishment of the respondent no. 2, Director of
Health Services, Government of West Bengal on
August 01, 1996. The further contention of the
applicants is that they have been paid fixed
remuneration of ₹ 2600/- per month or ₹ 100/- per

ORDER SHEET – (Continuation)

Form No.

Prasanta Kr. Bagdi & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA 320 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>day for discharging their duties. The grievance of the applicants is that they have 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 applicants are entitled to get remuneration as part time casual employees in terms of memorandum dated November 27, 2017 or as full time casual employees 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. 2 should take a decision on verification of records whether the applicants are entitled to get remuneration as part time casual employees or as full time casual employees.</p> <p>In view of our above observation, we direct the</p>	

ORDER SHEET – (Continuation)

Form No.

Prasanta Kr. Bagdi & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA 320 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
Csm	<p>respondent no. 2, Director of Health Services, Government of West Bengal, to consider whether the applicants are entitled to get remuneration as part time casual employees 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 employees 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>	