

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA-629 of 2019**

Raj Kishore Rakshit

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
02 <u>30/09/2019</u>	<p>For the Applicant : Mrs. S. Mitra, Ld. Advocate.</p> <p>For the State Respondent : Mr. S.N. Ray, Ld. Advocate.</p> <p>Affidavit of Service filed on behalf of the applicant today is kept on record. Mrs. Mitra, Learned Counsel for the applicant has not pressed for prayer of the applicant for absorption in Group 'D' post and as such the first portion of prayer 'A' of the original application stands deleted.</p> <p>The applicant has prayed for direction upon the respondents for granting him remuneration as casual employee for discharging his duty as Night Guard in the office of the Superintendent of Excise, Purulia.</p> <p>The contention of the applicant is that he was engaged as casual employee in the establishment of the respondent no. 4, Superintendent of Excise, Purulia with effect from February 01, 1989. The further contention of the applicant is that he has been paid remuneration @ Rs. 6,075/- per month for discharging his duty as full time casual employee. The grievance of the applicant is that he has not been paid remuneration in terms of memorandum no. 9008-F (P) dated September 16, 2011 and subsequent</p>	

ORDER SHEET – (Continuation)

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	<p>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 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. 2 should take a decision on verification of records whether the applicant is entitled to get remuneration as full time casual employee.</p> <p>In view of our above observation, we direct the respondent no. 2, Excise Commissioner, West Bengal to consider whether the applicant is entitled to get remuneration 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</p>	

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Csm	<p>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>	