

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

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

Case No. **OA-698 of 2019**

*Soumen Sarkar & 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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02  
21/11/2019

***For the Applicant*** : *Mr. M.N. Roy,*  
*Md. H. Ali,*  
*Mr. G. Halder,*  
*Ld. Advocates.*

***For the State Respondent*** : *Mr. D. Koley,*  
*Ld. Advocate.*

*Liberty is given to the applicants to amend prayer  
portion of the original application in course of this day.*

*The applicants have prayed for direction upon the  
respondents for payment of remuneration in terms of  
memorandum no. 9008-F(P) dated September 16, 2011,  
memorandum no. 4011-F(P) dated March 20, 2013,  
memorandum no. 1107-F(P) dated February 25, 2016,  
memorandum no. 1033-F(P) dated February 8, 2019  
and memorandum no. 3998-F(P) dated July 15, 2019  
issued by the Finance Department, Audit Branch,  
Government of West Bengal and other ancillary reliefs.*

*It appears from the materials on record that 7  
(seven) applicants have been working in different  
capacity as casual employees in the establishment of  
respondent No- 4, Sub-Divisional Officer, Jangipur from  
the dates of their engagement from the year 1996 to  
2001. The applicants were receiving monthly  
remuneration @ Rs.6,644/- per month to Rs.7,248/- per*

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	<p><i>month at the time 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. 9008-F(P) dated September 16, 2011 and subsequent memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal, inspite of fulfillment of the criteria as Casual/Daily Rated/Contractual employees in the establishment of the Sub-Divisional Officer, Jangipur.</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 will be entitled 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, subject to fulfillment of the criteria laid down in 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 September 16, 2011 and the subsequent memorandums issued in this regard as prayed by the applicants.</i></p> <p><i>In view of our above findings, the respondent no.</i></p>	

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	<p><i>3, District Magistrate and Collector, Murshidabad is directed to consider whether the applicants are entitled to get financial benefits in terms of memorandum no. 9008-F(P) dated September 16, 2011 and subsequent memorandums issued by the Finance Department, Audit Branch, Government of West Bengal by passing a reasoned order on verification of records and after taking necessary approval from the concerned Departmental Secretary within a period of 16 (sixteen) weeks from the date of communication of the order. With the above direction, the original application stands <b>disposed of.</b></i></p> <p><i>Let a <b>Plain Copy</b> of the order be supplied to both parties.</i></p> <p style="text-align: center;"><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	

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