

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA-736 of 2019**

Sujay Kumar Barman

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
22/11/2019

For the Applicant : Mr. G.P. Banerjee,
Ld. Advocate.

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

The applicant has 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 the applicant has been working temporarily in the establishment of the respondent No. 4, Block Development Officer, Tufanganj-II, Cooch Behar as Water Carrier since his engagement on November 10, 2008. The applicant was receiving monthly remuneration @ ₹ 700/- per month at the time of filing of the original application. Presently, he is drawing remuneration @ ₹ 2000/- per month w.e.f. July 01, 2017. The contention of the applicant is that he was deprived of enhanced monthly remuneration in terms

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	<p>of memorandum no. 9008-F(P) dated September 16, 2001 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 employee in the establishment of Block Development Officer, Tufanganj-II, Cooch Behar .</p> <p>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the applicant is 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, only if the applicant has fulfilled the criteria laid down in the said memorandum. Sufficient materials have not been placed before us to decide about the entitlement of the applicant to get remuneration in terms of memorandum dated September 16, 2011 and the subsequent memorandums issued in this regard as prayed by the applicants.</p> <p>In view of our above findings, the respondent no. 2, District Magistrate, Cooch Behar is directed to consider whether the applicant is entitled to get financial benefits in terms of memorandum no. 9008-</p>	

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Csm	<p>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 disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p style="text-align: center;">S. K. DAS MEMBER(A)</p> <p style="text-align: center;">R. K. BAG MEMBER(J)</p>	