

S/L 71
28.09.2022
Court. No. 19
sn

W.P.A. 3850 of 2022

Himangshu Makhai
VS
The State of West Bengal & Ors.

Mr. Uttam Kumar Bhattacharyya
Mr. Kaustav Mishra ... for the Petitioner

Despite service, none appears on behalf of the respondents. Let the affidavit of service be taken on record.

The petitioner seeks implementation of the order dated January 2, 2019 issued by the Joint Secretary to the Government of West Bengal, Department of Panchayats & Rural Development, bearing memo no. 04/PN/0/III/2A-87/2018.

The order indicates that the casual workers who had been working with effect from the date of engagement against the sanctioned post in the district of South 24 Parganas were entitled to get the benefits of the memoranda dated September 16, 2011 read with memoranda dated May 20, 2013 and February 25, 2016. The petitioner's name appears at serial no.2 of the said order.

The petitioner has been working as a Gram Panchayat Karmee on casual basis at Panakua Gram Panchayat under Bishnupur-I Development Block. According to the petitioner, the Special Secretary to the Government of West Bengal, Department of

Panchayats & Rural Development has not taken any steps on the basis of the order dated January 2, 2019.

The petitioner approached the authority by filing a representation dated November 3, 2021, which has not been disposed of.

Under such circumstances, as there is already an existing an order issued by the competent authority with regard to the eligibility of the petitioner, justice would be sub-served if the Special Secretary to the Government of West Bengal, Department of Panchayats & Rural Development, is directed to dispose of the representation of the petitioner, in accordance with law and on the basis of the recommendation already made.

A reasoned order shall be passed and communicated to the petitioner.

If there is no discrepancy, petitioner's entitlement shall be assessed and the benefits of the said memoranda shall be given in accordance with law. If there are any discrepancy with regard to the claim of the petitioner, such reasons shall be disclosed in the order to be issued by the authority.

The entire exercise shall be completed within a period of four months from the date of communication of this order.

This writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)