

30.01.2023  
Court No. 19  
Item No.27  
CP

W.P.A. No. 1228 of 2023

Gopi Krishna Das

Vs.

The State of West Bengal & Ors.

Mr. Joy Chakraborty

Ms. Ipsita Ghosh

...for the petitioner.

Mr. Raja Saha

Mrs. Sukla Das Chanela

....for the State.

The writ petition is disposed of by directing the District Panchayat & Rural Development Officer, Murshidabad to treat the writ petition as a representation and take a decision as to whether the Memoranda bearing No. 9008-F(P) dated September 16, 2011, No. 4011-F(P) dated May 20, 2013 and No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal, would be applicable in case of the petitioner or not.

The petitioner claims to have been engaged by the Burwan Panchayat Samiti as a casual worker. Petitioner further contends that he is continuing in the same capacity.

This court has not decided the merits of the claim of the petitioner. The authority shall decide the issue

independently and pass a reasoned order as to whether the criteria mentioned in the memo dated September 16, 2011 and the subsequent memoranda which were published from time to time by the Finance Department, Audit Branch could be made applicable in respect of the petitioner upon taking into consideration the nature of service that the petitioner was rendering in the Burwan Panchayat Samiti.

The petitioner, along with a representative of the Burwan Panchayat Samiti shall be heard.

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

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

A copy of the writ petition shall be served upon the District Panchayat & Rural Development Officer, Murshidabad for compliance of the order.

The 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.)**