

1.2.2023
Ct.19/sl.572
sn

WPA 10427 of 2022

Akhil Chandra Pramanik
Vs.
The State of West Bengal & Ors.

Mr. Pinaki Dhole
Mr. Debjit Bhattacharyya
...for the petitioner
Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
.for the State

The petitioner contends that his earlier prayer for regularization in the regular establishment of the Panchayat Department does not survive in view of the decisions passed by this Court by which the memoranda issued by the State of West Bengal for regularization had been set aside.

As the policy of regularization had been done away with, the petitioner now prays that he may be given the benefits of memoranda nos. 9008-F(P) dated September 16, 2011, No. 4011-F(P) dated May 20, 2013 and No. 1107-F(P) dated February 25, 2016 and No. 1033-F(p2) dated February 8, 2019 issued by the Finance Department.

The contention of the petitioner is that he has been continuously working in the Akandaberia gram panchayat since 1998 as a casual worker and he fulfills the eligibility criteria prescribed in the memorandum dated September 16, 2011.

The District Panchayats and Rural Development Officer, Malda is directed to treat the

writ petition as a representation and decide whether the petitioner would be given the benefits of the above memoranda. Whether the requirements to be fulfilled by a casual worker to come within the purview of the benefits given by the said memorandum of 2011 and subsequent memoranda issued from time to time up to 2019, shall be decided. Continuity of service will have to be certified in terms of the said memorandum of 2012. The petitioner should have been engaged against a sanctioned vacant post through a proper recruitment process and before the cut off date.

A reasoned order shall be passed upon hearing the petitioner and the Pradhan of the Akandaberia gram panchayat.

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

This Court has not gone into the merits of the claims of the petitioner.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)