

20.09.2023
DL-31
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21007 of 2023

Prosenjit Das
Vs.
The State of West Bengal & Ors.

Mr. Subrata Mukhopadhyay,
Ms. Basabi Raichoudhury
.....for the petitioner.
Mr. Gourav Das
.....for the State.

The petitioner has been rendering service as contractual employee since June 3, 2009. The petitioner has been rendering his service in various Integrated Child Development Scheme (ICDS) Projects. At present, the petitioner is deployed at Balurghat Urban ICDS Project, District – Dakshin Dinjapur on deputation. Since January 22, 2019, the petitioner has been rendering his service at the said office.

It is the petitioner's grievance that despite rendering 14 years of continuous service, the petitioner has not been given the benefits in accordance with the Finance Department's Memorandum dated July 15, 2019, vide no.3998-F(P2). The petitioner has prayed for job security till the age of 60 years and enhancement of monthly wages/salary, annual increment etc. The petitioner made a representation on July 31, 2023 before the

respondent no.4/the District Magistrate, Dakshin Dinajpur. The petitioner's representation has not been responded to.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the respondent no.4/the District Magistrate to consider the representation of the petitioner within 8 weeks from date upon giving him a personal hearing. A reasoned order shall be passed and communicated to the petitioner within 2 weeks of passing thereof.

In considering the representation of the petitioner, the Finance Department's memorandum dated July 15, 2019 shall be taken into consideration.

If the petitioner is found eligible, the petitioner will be given the monthly benefits of the said memorandum with effect from January, 2024. Any arrears that may be found due and payable to the petitioner upon completion of the period of 10 years of continuous service shall also be disbursed to the petitioner within 3 months from the date of passing of the reasoned order.

With the directions aforesaid, **WPA 21007 of 2023 is disposed of.**

Since no affidavits have been directed to be exchanged in the writ petition, the allegations

contained therein are deemed not to have been admitted by the respondents.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)