

18.
18.10.2023
S.D.

W.P.A. 24668 of 2023

Sudhir Mahato & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Prasanta Behari Mahata

Mr. Lal Ratan Mandal

Mr. Dilip Kumar Sadhu

..For the Petitioners

Mr. Ritesh Kumar Ganguly

...For the State

Leave is granted to put in the deficit Court fees by
October 19, 2023.

The petitioners pray for benefits under the
Memorandum dated September 16, 2011 vide No. 9008-F
(P), Finance Department, Government of West Bengal.
The petitioners made a representation on September 26,
2023 before the Principal Secretary, Department of Forest,
Government of West Bengal/the respondent no. 1 and also
the Divisional Forest Officer/respondent no. 4. It is the
grievance of the petitioners that such representation has
not been considered till date.

Mr. Ganguly, learned counsel appearing on behalf of the State respondents submits that the petition is not maintainable as two of the petitioners are not daily rated/casual/contractual workers engaged in Government Establishment of the State. Therefore, they cannot claim the benefits of the Memoranda dated September 16, 2011 and May 20, 2013.

Considering the rival submissions of the parties and the materials placed on record, this Court directs the respondent no. 4./the Divisional Forest Officer or any other authority delegated by him to consider the representation of the petitioners dated September 26, 2023 and pass a reasoned order within eight weeks from date. The said reasoned order shall be communicated within two weeks of passing thereof.

The issue whether the petitioners are eligible to the benefits of the 2011 and 2013 Memoranda will be stated in the said reasoned order.

With the directions aforesaid, **W.P.A. 24668 of 2023** is **disposed of**.

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

contained in the petition are deemed not to have been admitted by the parties.

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 given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)