

21 12.03.2025
rkd Ct.18

W.P.A. 5404 of 2025

Sarwaddi Mondal

-vs-

The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Akashdeep Mukherjee,
Mr. Badrul Karim,
Mr. Kiron Sk.,
Mr. Aritra Ghosh,
Ms. Monalish Sinha

....for the petitioner.

Mr. Shamim ul Bari,
Ms. Indrani Nandi

....for the State.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

By presenting this writ petition, *inter alia*,
petitioner has prayed for implementation of the
memorandum dated 1st March, 2024 issued by the
Additional Chief Secretary to the Government of
West Bengal, Finance (Audit) Department.

By the said memo dated 1st March, 2024
decision was taken for enhancement of
remuneration of the Casual/Contractual Workers
engaged in various Government Establishments in
terms of the memorandum dated 16th September,
2011.

It is contended by Mr. Chatterjee, learned
advocate representing the petitioner that petitioner

being a Shiksha Samprasarak of a Madrasah Shiksha Kendra in Murshidabad is entitled to get the benefit of such memorandum dated 1st March, 2024 on enhancement of his remuneration.

While considering whether this memorandum dated 1st March, 2024 can be implemented or not for enhancing remuneration of the petitioner being a Siksha Samprasarak of Madrasah Shiksha Kendra, this Court is required to find out whether petitioner is working in a Government Establishment or not.

It appears from the submission made on behalf of behalf of the parties that petitioner is working in Sitanagar Madrasah Shiksha Kendra, Murshidabad. It is also found from the memorandum dated 15th September, 2009 that the Madrasah was converted as Madrasah Shiksha Kendra in terms of Clause-12 of the Guidelines for Madrasah Shiksha Karmasuchi. Such memorandum dated 15th September, 2009 recognised and approved petitioner's Madrasah Shiksha Kendra which at best can be treated as Shiksha Kendra under Madrasah Shiksha Karmasuchi and by no stretch of imagination this can be treated as a Government Establishment.

Therefore, the benefit which has been

prayed for in terms of memorandum dated 1st March, 2024 by enhancing remuneration of the petitioner cannot be extended to the petitioner.

Hence, no relief can be granted to the petitioner.

The writ petition stands dismissed.

However, this order shall not preclude the petitioner to get terminal benefits on attaining age of superannuation in accordance with law.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)