

6th November, 2025
(D/L No.34)
Ct. No.4
(SKB)

W.P.S.T.90 of 2025

Seikh Rahim
Versus
The State of West Bengal and others

Mr. Mir Anowar,
Mr. Maroot Zahedi
... for the petitioner.

Mr. Tapan Kr. Mukherjee, Id. AGP,
Ms. Sangeeta Roy,
Mr. Saptak Sanyal
....for the State.

1. The affidavit-in-reply filed by the petitioner is taken on record.
2. Heard learned counsel for the petitioner.
3. The petitioner is claiming a benefit under memorandum dated 16.09.2011 issued by the Audit Branch, Finance Department, Government of West Bengal, which contemplates some benefits of pay etc. to casual/daily rated/contractual workers who have rendered 10 years of service continuously and have at least 240 days attendance in each year.
4. The memorandum also provides some security of tenure. The petitioner, as per his claim, was engaged as an agricultural labourer in the year 1987. The petitioner approached the Tribunal

for grant of benefits under the memorandum dated 16.09.2011 bearing No.9008-F(P) issued by the Audit Branch, Finance Department, Government of West Bengal.

5. The Tribunal has rejected his claim by an order dated 20.01.2025 passed on the petitioner's O.A.174 of 2024. The Tribunal was not convinced that the petitioner's engagement was against any sanctioned post and, therefore, the petitioner's claim has been rejected.
6. The learned counsel for the petitioner submits that there is no requirement that a person must be engaged in a sanctioned post for availing the benefit of the memorandum dated 16.09.2011.
7. The learned counsel for the State has opposed the submissions made by the learned counsel for the petitioner.
8. We have made a specific query from the learned counsel as to what material the petitioner has placed before the Tribunal to show that he has continuously worked for 10 years, with at least 240 days attendance in each year.
9. The learned counsel for the petitioner has not been able to point out any such material before the Tribunal. He, however, submits that he would be raising his claim before the authority

duly supported by material to show that he has put in 10 years continuous service with 240 days attendance in each year; and that otherwise he fulfills the requisites as per memorandum dated 16.09.2011 issued in this regard, which are applicable to the petitioner's claim.

10. With such liberty, the writ petition is disposed of.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)