

**W.P.S.T. 238 of 2024**

**Madhusudan Bhattacharya  
Vs.  
The State of West Bengal & Ors.**

Mr. Dinendranath Chatterjee,  
Mr. Ramkrishna Biswas,  
Mr. Santanu Mondal

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Id. AGP,

...for the Respondents

1. Heard the learned counsel for the petitioner and the learned counsel for the State.
2. The petitioner worked as a Tehsil Mohurrier from 1973 to 1984 on temporary basis. On 02.07.2002, he was appointed as a Night Guard on regular basis. The order of appointment is Annexure P1 to the O.A. The petitioner has thereafter retired from service on attaining the age of superannuation on 31.01.2017. He thereafter approached the authorities for considering his services rendered as a Tehsil Mohurrier on a temporary basis in between 1973 to 1984 counting it as part of his service tenure for the purposes of grant of service benefits accordingly. The authorities have rejected his application on 09.03.2018. The reason assigned is that during 1973 to 1984 he has

worked for only four months in a year on temporary basis.

3. The learned counsel for the petitioner seriously disputes this fact. He submits that he was continuously working from 1973 to 1984. This disputed question of fact is not supported by any documents to show his continuous presence for the entire period. In fact after 1984 he did not work till he was appointed in 2002 as Night Clerk on regular appointment and there is long gap in between.
4. In the circumstances, we find no infirmity in the decision of the authorities not to grant benefit of the services rendered by him on a temporary basis in between 1973 to 1984 by counting it as part of his regular service for grant of consequential benefits. The order of the West Bengal Administrative Tribunal in our opinion therefore requires no interference.
5. The Writ Petition is dismissed.

**(Madhuresh Prasad, J.)**

**(Supratim Bhattacharya, J.)**