

**18.02.
2026**

Ct. No. 24

Ab

WPA 9513 of 2025

Ujjal Gayen and others

Vs.

The State of West Bengal and others.

**Mr. Prasenjit Mukherjee,
Mr. Raja Roy.**

... for the petitioners.

**Mr. Jahar Datta,
Ms. Joyee Maiti.**

... for the State.

**Mr. Sarwar Jahan,
Ms. Mousumi Mitra,
Ms. Shalini Sen,
Ms. Sahina Parvin.**

... for the respondent no. 7.

1. The petitioners are all legal heirs of Uma Gayen, who had been working as a Sahayika in the district of Hooghly since 1999. She expired on November 1, 2024.
2. The petitioners are now claiming “terminal benefits” on account of the death of their mother, Uma Gayen.
3. Mr. Mukherjee, learned Advocate appearing for the petitioners, has referred to the Notification No. 1219-F(H)/FA/N/2M/18/24(NB) dated March 7, 2024. Though this memorandum refers to payment of such benefit to several categories of contractual employees including Sahayikas, it does not have any overt reference to their legal heirs and representatives.
4. Mr. Jahan, learned Advocate appearing for the respondent no. 7, submits that though this issue

whether such benefits were payable or not to such contractual workers like Sahayikas was under consideration for a considerable time, it finally fructified by virtue of the Memo No. 7245-F[P]/FA/O/2M/214/17[NB] dated November 24, 2017. This memo had taken into account all other memorandums issued by the concerned department and had extended the terminal benefits to the legal heirs of the contractual workers, such as Sahayikas for a sum of Rs.2,00,000/- at the time of death of such Sahayikas. From time to time this memo has been amended only to the extent of increasing the amount payable as terminal benefits on February 22, 2021 to Rs. 3,00,000/- and on March 4, 2024 to Rs. 5,00,000/-.

5. In view of this memorandum of November 24, 2017 as modified in regard to the quantification in 2021 and 2024, the petitioners are entitled to receive the terminal benefits as on November 1, 2024, which is approximately Rs. 5,00,000/-.
6. Mr. Jahan fairly submits that the respondent no. 7 was at a point of time under the Panchayet and Rural Development Department and was bound by all circulars issued by them and acted in accordance thereof. Presently, since December 2020, the respondent no. 7 is under the Department of Education. The said respondent is unable to make

the payment as there is no corresponding memorandum from the Education Department.

7. I am informed that the respondent no. 7 has also intimated the Education Department of such anomalous situation and is awaiting response therefrom.
8. In view thereof, the respondent no. 10 is directed to immediately take a decision on the matter and intimate the respondent no. 7, in consonance and in line with the memorandum of November 24, 2017, as amended from time to time.
9. Upon being intimated by the respondent no. 10, the respondent no. 7 will immediately release the money in favour of the petitioners in terms with the existing memorandum.
10. With these directions, the writ petition is disposed of.
11. There shall, however, be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)

