

D/L13
16.05.2025
Rohit
ct.no.04

WP.ST 185 of 2024
Mahamaya Das Singha
Versus
The State of West Bengal & Ors.

Mr. Kamlesh Jha
Mr. Biswajit Tiwari

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Sr. Adv
Ms. Sonal Sinha
Ms. Ashmita Chakraborty

...for the State

1. The learned State counsel is relying upon the requirement of ten years continuous engagement on the cutoff date from 01.08.2011 contemplated under the memorandum dated 16.09.2011. Such submission is apart from the other submissions advanced that the petitioner's engagement was not against a sanctioned post and that subsequently he has been disengaged in July, 21, to be engaged four months thereafter through an agency.
2. The learned counsel for the petitioner, however, submits that the requirement of ten years continuous service from 01.08.2011 is diluted by the provisions contained in the Memorandum dated 25.02.2016 wherein monthly remuneration has

been fixed for casual, contractual or daily rated workers having “less than five years” engagement.

3. Mr. Mukherjee, learned AGP submits that he will obtain instructions as regards this prima facie dichotomy appearing between the two memorandums dated 16.09.2011 and 25.02.2016.
4. He seeks adjournment of the matter to obtain such instructions and file an affidavit if required in this regard.
5. Let the affidavit be filed one week after the court reopens post the summer vacation.
6. Matter to appear two weeks after the summer vacation. In the meantime if required the petitioner may file affidavit-in-reply.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)