

31.08.2022
Court No.13
Item No.254
AP

WPA 15748 of 2022

**Krishna Bera and Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Kamalesh Bhattacharyya
Mr. Bidhan Biswas

... For the petitioners.

Mr. Rezaul Hossain

... for the State.

Mr. Md. Sarwar Jahan
Ms. Mousumi Mitra

... For the Respondent No.4.

Supplementary affidavit filed in Court today
is taken on record.

The petitioners were engaged as
Samprasarak/Samprasarika in various
Madhyamik Siksha Kendras in the State. In or
about April 2020 they opted for conversion /switch
over to the post of “Samprasaraks/Samprasarikas,
at par with Pra-Teachers” (SSAPT), on an
assurance receiving EPF.

The respondents, particularly respondent
No.4, have not been able to take any decision as
yet on allowing the petitioners to switch over and
allow them the EPF benefit. Some of the petitioners
are due to retire within the next six months.

Since, after switch over as SSAPTs, the
petitioners are due to retire upon reaching the age
of 60, and the decision on the benefits under the
SSAPT scheme is still pending consideration they

have now expressed a desire to switch back to the original Samprasarak/ Samprasarika post without being considered as para-teaches.

Learned counsel for the respondent No.4 has fairly submitted that since the petitioner No.1 Krishna Bera, Petitioner No.13 Subir Adhikary, Petitioner No.14 Sadhan Gopal Mukhopadhyay, Petitioner No.15 Samir Kumar Chattopadhyay and Petitioner No.18 Md. Rafiqur Rahaman are, in fact, retiring in the next six months, his client does not have any objection to the said persons to switch back to the post of Samprasarak/ Samprasarika. The benefit that the said petitioners would get is that, their service continues till the age of 65.

In view of the above, the aforesaid persons named shall be allowed to switch back to the post of Samprasarak/ Samprasarikas with immediate effect. The said petitioners shall however not be allowed to claim any benefit as para-teachers in future.

In so far as the rest of the petitioners are concerned, the prayer for switching back, is not considered at this stage since more than six months is available before them to reach the age of 60.

The writ petition shall stand disposed of with liberty reserved to the other petitioners to agitate

their grievances in accordance with law if the need arises.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)