



as available to the 'para-teachers'. Even after lapse of more than two years since the option was exercised, the petitioners are deprived of getting any benefit as assured by the Government.

The petitioner Nos. 1, 2 and 4 are going to retire on superannuation within six months. Under such circumstances, the petitioners seek directions so that they may maintain their status as 'Samprasarakas' or revert back to the post of 'Samprasarak' from the status at par with 'para-teachers' and they be allowed to continue their service upto the age of 65 years.

Mr. Sarwar Jahan, learned Advocate appearing for the respondent No. 4, Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, fairly submits that a scheme which was to be promulgated to bring the Samprasarakas at par with the para-teachers could not be promulgated as yet. On such score, learned Advocate submits, if the petitioner Nos. 1, 2 and 4, who are to retire within six months may withdraw their option. Mr. Jahan points out that the petitioner No. 3 is yet to complete the age of 60 years within a period of six months. In such context, Mr. Jahan suggests, so far as petitioner No. 3 is concerned, liberty may be given to him to ventilate his grievance as and when situation occurs.

Learned Advocate appearing for the petitioners accepts the submission / suggestion as advanced by Mr. Jahan.

Having heard the learned Advocates appearing for the parties and on consideration of the relevant Government Notifications/Orders annexed to the writ petition I feel that

the prayers as made by the petitioner Nos. 1, 2 and 4 may be allowed.

Therefore, in view of the above, the petitioner Nos. 1, 2 and 4 are allowed to switch back to the post of Samprasarakas with immediate effect and work as Samprasarak till the age of 65 years. However, the petitioner Nos. 1, 2 and 4 shall not be allowed to claim any benefit as available to 'para-teachers' in future.

In so far as the prayer of the petitioner no. 3 is concerned, liberty is reserved to agitate his grievance in accordance with law, since more than six months is available to him to reach the age of 60 years.

With the aforesaid directions, the writ petition stands disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There shall be no order as to costs.

Urgent photostat copy of the order, if applied for, be supplied to the petitioner on priority basis on compliance of necessary formalities.

**( *Rabindranath Samanta, J.* )**