

Court No. 2

22.08.2023

(JPD 16)

(S. Banerjee)

Calcutta High Court
In the Circuit Bench at Jalpairuri
Appellate Side

W. P. No. 3262 of 2022

Saswati Baksi Bhattacharjee & Ors.
Vs.
The State of West Bengal & Ors.

with
CAN 1 of 2023

Mr. Bikramaditya Ghosh
Mr. Deborshi Dhar

... for the petitioners

Mr. Hirak Barman
Mr. Momenur Rahman

... for the State

This petition has been filed by 12 writ
petitioners, full court fees thereof have been paid.
The document wherefor has already been kept on
record.

Re: CAN 1 of 2023

This is an application for addition of party as
the petitioner is similarly circumstanced with the
other petitioners.

Such addition of party application is allowed.

The petitioner is directed to add the applicant
of CAN 1 of 2023 as another petitioner by order of
this court. It has to be done in course of the day.

Re: WPA 3262 of 2022

It has been submitted by the learned advocate for the petitioners that the petitioner no. 7 does not want to take part in this litigation and she wants her name to be expunged from this proceeding.

Accordingly, the name of petitioner no. 7 is expunged.

This matter is similar to WPA 16823 of 2022 wherein the order was passed by this court on 29.07.2022. Neither the petitioners nor the respondents present have objected to this similarity between the two writ petitions.

In respect of this petition, it has been filed by 12 persons and all of them are going to retire soon.

It has been submitted on behalf of the Paschimbanga Rajya Shishu Siksha Mission ('the Mission', for short) and also on behalf of the State that the petitioner in such a situation as has been disclosed in the writ application, can withdraw her option by which she was acting as "Sahayika at par with para-teacher."

Now the petitioner will withdraw the option and she will continue to remain as Sahayika up to the age of 65 years. It is made clear that Rs. 3 lacs, which is to be given to the "Sahayika treated at par

with para-teachers,” will not be paid to the petitioner and the petitioner is agreeable to that.

The petitioners in future should not claim any benefit that are given or may be given in future to the “Sahayika treated at par with the para-teachers” as she is being granted the benefit of withdrawing the option and now is being treated as a Sahayika.

This submission is accepted and order is passed accordingly.

The Mission Director will take all steps pursuant to this direction given by this court immediately.

With the above observation and direction this writ application is disposed of.

(Abhijit Gangopadhyay, J.)