

13.06.2024.
Court No. 13
Item No. 12
ap

W.P.A. No. 8024 of 2024

Dipu Patra (Mondal)
Versus
The State of West Bengal & Ors.

Mr. Bidhan Biswas.

...For the petitioner.

Md. Sarwar Jahan,
Ms. Mousumi Mitra,
Ms. Tapati Sarkar.

...For the respondent no.2.

Mr. Sabnam Dey Bardhan,
Mr. Rupsha Chakraborty.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is a Sahayika under the Paschim Banga Rajya Shishu Shiksha Mission. She has exercised option on 13th January, 2020 to remain in service upto the age of 65.
3. Despite thereof, her name has been incorrectly included in the list of those teachers, who opted to retire at the age of 60.
4. As regards the records of the Mission, the petitioner must be deemed to have been superannuated.
5. This Court, however, notes that the petitioner has indeed exercised option to remain in service upto the age of 65.
6. Mr. Jahan, Counsel appearing for the Mission submits that his client did not have any objection if

the petitioner continues to work at the age of 65 as Sahayika.

7. In that view of the matter, this Court directs the District Nodal Officer and the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission to treat the petitioner as a person having exercised option to work till the age of 65.

8. The records of the Mission and the State in this regard shall be duly verified. The petitioner shall be entitled to all and every benefits payable to Sahayika after she reaches the age of 65.

9. The instructions of the State dated 21st March, 2024 filed in Court today be kept with the record.

10. With the aforesaid directions, the instant writ petition is allowed and disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)