

SL-09
08.10.2024
AGM

**In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 25794 of 2024

**Alo Barman & Ors.
vs.
The State of West Bengal & Ors.**

**Mr. Bidhan Biswas.
... For the Petitioners.
Md. Sarwar Jahan.
Ms. Mousumi Mitra.
Ms. Tapati Sarkar.
... For the respondent no. 3.**

**Ms. Asmita Chakraborty.
... For the State.**

1. Affidavit-of-service filed today be kept with the records. Receipt showing deposit of deficit court fees be retained with the records.

2. The petitioners were initially serving as Sahayak/Sahayika in Shishu Shiksha Kendra. They exercised option to avail the benefit given in favour of para teachers.

3. The benefit of para teacher to be given to the Sahayak/Sahayika was, on publication of the notification, found to be not beneficial. The petitioners, accordingly, intends to be reverted back to the status of Sahayak/Sahayika and they intend to remain in service till 65 years of age.

4. Various writ petitions on similar facts were considered by the Court and the Court by judgment dated 27th September, 2024 in WPA 24808 of 2024 (**Antara Pandit & Ors -Vs- The State of West Bengal & Ors.**) directed the concerned State authorities including PBRSSM authorities to treat the petitioners as Sahayak/Sahayika and the option submitted by them to be treated as para teacher has been directed to be treated as cancelled.

5. As the facts of the case are similar to the case of Antara Pandit & Ors (supra), accordingly, in line with the above judgment the instant writ petition is disposed of by directing the Mission Director to treat the petitioners as Sahayak/Sahayika and permit them to remain in service till 65 years of age.

6. No benefit in respect of para teacher will be allowed in their favour.

7. The writ petition stands disposed of.

8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)