

07.03.2024
Court No.13
Item No.2
pk

WPA 25235 of 2023

**Manju Sarkar and another
Vs.
The State of West Bengal and Ors.**

Mr. Shahan Shah,
Mr. Soumen Barman

... for the petitioners.

Mr. Samim ul Bari
Mr. Rejaul Hossain

... for the State

Mr. Sarwar Jahan
Mr. Sayantan Hazra
Ms. Tapati Sarkar

... for the Respondent No.4.

1. Affidavit of service filed in Court is taken on record.
2. The petitioners were Sahayaks and Sahayikas in the Shishu Shiksha Kendras (SSKs) under the scheme run by the State. They exercised option of being treated at par with Para Teachers and retire at the age of 60 years and avail terminal benefits of Rs.3,00,000/-. Since they have not been provided with terminal benefits, they want to reverse their options and be treated as Sahayaks and Sahayikas in the SSKs. By reason thereof, the petitioners would retire at the age of 65 years.
3. In a decision of this Court passed in WPA 7766 of 2023, this Court had directed the Para Teachers to be granted the benefits of P. F.
4. Since the petitioners wish to revert back as Sahayaks and Sahayikas in the SSKs, they shall, therefore, not be entitled to the P. F. facilities.

5. All benefits payable to the petitioners as Sahayaks and Sahayikas shall be paid to them and they shall be treated as Sahayaks and Sahayikas henceforth and continue to work until the age of 65 years. The earlier option to be treated at par with the Para Teachers given by the petitioners shall stand revoked and cancelled.
6. With the aforesaid directions, the writ petition is disposed of.
7. There will be no order as to costs.
8. 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.)