

21.11.2025
Item No.19
Court No.17
SK

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 16453 of 2025

Amalendu Das

-Vs-

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta,

Mr. Saikat Sutradhar

.....for the petitioner.

Mr. Supriyo Chattopadhyay, AGP,

Ms. Sayantanee Bhattacharjee

.....for the State.

Md. Sarwar Jahan,

Ms. Mousumi Mitra,

Ms. Tapati Sarkar,

Ms. Shalini Sen

....for the Mission Director.

Affidavit of service filed on behalf of the
petitioner be kept with the record.

The petitioner is the Samprasarak in a
Madhyamik Siksha Kendra (MSKs, in short), he
opted to avail the benefit of the Notification of
the Government of West Bengal, School
Education Department, Elementary Education
Branch, bearing Memo No: 979-ES/EE/10M-
164/19 dated December 18, 2019 for being
treated as Para Teachers of Paschim Banga
Rajya Shishu Shiksha Mission. The relevant
paragraph of the said Notification is quoted
below:

“2. The Sahayaks/Sahayikas and Mukhya Sahayaks/Mukhya Sahayikas of SSKs, Samprasaraks/Samprasarikas and Mukhya Samprasaraks/Mukhya Samprasarikas of MSKs who are within the age of 60 years on the date 01.04.2020 shall be required to give their option in the format annexed herein, by 5 pm of 01/02/2020 to Mission Director of PBRSSM through the District Nodal Officer, SSK/MSK of the concerned district, for treating them at par with the Para Teachers of Paschim Banga Samagra Shiksha Mission under School Education Department, Govt. of West Bengal and engage them with similar terms and conditions as that of Para Teachers, to get similar benefits extended to the Para Teachers.”

The School Education Department failed to provide the benefit to the petitioner accrued to him on exercise of such option, the petitioner under such circumstances, is praying that he may be permitted to revert to his original status of Samprasarak and to continue his service as such, upto the age of 65 years.

Mr. Dasgupta, learned advocate for the petitioner, in aid of the relief as prayed for by the petitioner, places reliance on a decision of a Co-ordinate Bench of this Court in WPA 4525 of

2023 whereby identical prayer of similarly placed Samprasarak was allowed

Learned counsel for the State and learned counsel for the Mission Director, Paschim Banga Rajya Sishu Shiksha Mission, Government of West Bengal, do not raise any objection to such prayer of the petitioner.

The concerned respondents, therefore, are directed to allow the petitioner to maintain his status as Samprasarak in his respective MSKs ignoring the options exercised by him under the aforementioned Notification and to allow him to continue in his such engagement upto the age of 65 years.

It is made clear that the petitioner will not be entitled to any of the benefits of Para Teachers.

WPA 16453 of 2025 is disposed of with the above terms, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)