

14.02.2025  
SL No. 227  
Monthly List February 2025  
Ct.-19  
Sandip

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

W.P.A. 26988 of 2024  
Aklima Khatun & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Debraj Shil

.... For the Petitioners.

Mr. Bhaskar Prasad Vaisya, AGP,

Mr. Suman Dey ... For the State.

Ms. Sarwar Jahan,

Ms. Tapati Sarkar . For the respondent no. 4.

Mr. Gourav Das. For the DPSC South 24 Pgs.

Affidavit-of-service and Acknowledgement  
evidencing payment of deficit court fees, filed by  
the learned advocate for the petitioners, be kept  
with the record.

The petitioners are the Sahayikas in  
different Sishu Siksha Kendras (SSKs, in short),  
all of them 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, Samprasarakas/Samprasarikas and Mukhya Samprasarakas/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 petitioners accrued to them on exercise of such option, the petitioners under such circumstances, are praying that they may be permitted to revert to their original status of Sahayikas and to continue their service as such, upto the age of 65 years.

Mr. Shil, learned advocate for the petitioners, in aid of the relief as prayed for by the petitioners, places reliance on a decision of a Co-ordinate Bench of this Court in WPA 4524 of

2023 whereby identical prayer of similarly placed Sahayikas was allowed.

Learned Advocate for the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, Government of West Bengal, the respondent no. 4 herein, does not raise any objection to such prayer of the petitioners.

The concerned respondent, therefore, is directed to allow the petitioners irrespective of attainment of their age of superannuation to maintain their status as Sahayikas in their respective SSKs ignoring the options exercised by them under the aforementioned Notification and to allow them to continue in their such engagement upto the age of 65 years.

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

WPA 26988 of 2024 is disposed of with the above terms, there shall however be no order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties

subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**