

20.05.2026
Sl. No.6
Ct. No.14
ss

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

W.P.A. No. 11227 of 2026

**Ashis Kumar Ghosh
Versus
The Mission Director,
Paschim Banga Rajya Shishu Shiksha Mission,
Government of West Bengal, & ors.**

Mr. Bidhan Biswas

...for the Petitioner.

Md. Sarwar Jahan

...for the Mission Director

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. This matter is appearing in the list under the heading '*To Be Mentioned*'.
3. By the present writ petition, the petitioner seeks direction upon the respondent authority, particularly the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, Government of West Bengal to cancel the Data Capture Format (DCF) so filled up by the petitioner for having the benefit of EPF Scheme and allow the petitioner to retain his status of Samaprasarak by way of cancellation of the option exercised by him for being treated at par with the Para Teacher.
4. The petitioner contends that he is a retired Samprasarak in Kantatikuri Madhyamik Shiksha

Kendra under Paschim Banga Rajya Shishu Shiksha Mission. The petitioner as per Government Notification no.979-ES/EE/10M-164/19 dated 18th December, 2019 exercised option for treating him as a Para Teacher of Paschim Banga Rajya Shishu Shiksha Mission. Since the Government in terms of the notification No.306-SED-18028(99)/2/2021-PB SEC-Dept. of SE dated 29th August, 2024 failed to extend the benefit of Para Teacher to the petitioner, the petitioner intends to revert back to the post of Samprasarak. Hence this writ petition.

5. The petitioner has already retired on 30th April, 2026 attaining the age of 60 years. The petitioner now prays that he may be allowed to revert back to the post of Samprasarak so that he can continue the service till the age of 65 years.
6. Mr. Bidhan Biswas, learned Advocate appearing on behalf of the petitioner submits that in a similar circumstance a Coordinate Bench of this Hon'ble Court in *Puspanjali Ghosh –versus- The State of West Bengal & ors. (WPA 28233 of 2025)* allowed the petitioner to revert back to the post of Sahayika. The petitioner seeks similar benefit be extended to him.
7. Md. Sarwar Jahan, learned Advocate representing the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission submits that in the event such benefit is extended to the petitioner, the petitioner will not be entitled to any salary in the interregnum period till he

rejoins. Moreover, the petitioner is also not entitled to claim financial or other benefit as a Para Teacher and the option of DCF and other options submitted has to be cancelled.

8. Mr. Biswas, learned Advocate for the petitioner concedes to the same.
9. It is found that the present petitioner is similarly circumstanced as of the petitioner in WPA 28233 of 2025.
10. Accordingly, the petitioner is permitted to continue as Samprasarak in Sishu Siksha Kendra till he attains the age of 65 years. The petitioner will not be entitled to any financial and other benefits as Para Teacher and the option of DCF as well as other option exercised in terms of Notification dated 18th December, 2019, should be treated as cancelled. The authority concerned shall pass necessary direction for rejoining the petitioner within a period of two weeks from the date of communication of this order.
11. The petitioner, after retirement, since has not rendered any service to the said Madhyamik Shiksha Kendra, the petitioner will not be entitled to any remuneration in the interregnum period till he rejoins but his absence shall not be construed as discontinuation of his service as Samprasark of the said Madhyamik Shiksha Kendra.

12. Learned advocate for the petitioner is directed to communicate this order to the authority concerned for necessary compliance.
13. With the above direction, the writ petition being **WPA 11227 of 2026** stands disposed of.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
19. Urgent Photostat certified copy of the order, if applied for be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)