

06.03.2026
Sl. No.27(DL)
Ct. No.14
srm

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

W.P.A. No. 18682 of 2025

Smt. Rekharani Sahoo Hazra & Anr.

Versus

The State of West Bengal & Ors.

Mr. Manoranjan Jana,
Mr. Rachasyam Maiti

...for the Petitioners.

Mr. Sarwar Jahan,
Ms. Mousumi Mitra,
Ms. Tapati Sarkar

...for the Mission Director.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek direction upon the respondent authorities to change option of retirement from 60 to 65 years after considering their representations (Annexure P6) within a specified period.
3. The petitioners contend that they are working as *Sahayika* at Shishu Shiksha Kendra Booth No.107 at Paschim Sripati Nagar and Kamdevpur Netaji Pally Shishu Shiksha Kendra at Kamdevpur under Block Pathar Pratima, South 24-Parganas respectively since 2003 satisfactorily. In terms of Notification No.979-ES/EE/10M-164/19 dated 18th December, 2019 of School Education Department, Government of West Bengal, the petitioners submitted their respective basic

data required for the contractual service of 60 years by opting as SSK teachers for the inclusion of the EPF before the authority concerned. By a circular dated 14th January, 2020, the School Education Department issued a clarification in respect of *Sahayika* and thereafter Mission Director passed an order regarding terminal benefits to *Sahayika* irrespective of service age of 60/65 years. The petitioners thereafter decided to change their respective option from 60 to 65 years and filed applications dated 11th April, 2025 and 21st July, 2025. However, no steps have been taken. Hence, this writ petition.

4. Mr. Manoranjan Jana, learned Advocate appearing for the petitioners submits that since the petitioners have not got the benefit as per the Scheme issued by the Government of West Bengal vide its notification dated 20th December, 2019, the petitioners intend to revert back to their original employment as *Sahayika*. In a similar situation, a Coordinate Bench of this Hon'ble Court has passed orders in *WPA 13660 of 2025 (Md. Quaish Ajmal versus The State of West Bengal & Anr.)* as well as in *WPA 937 of 2026 (Ashit Kumar Das versus Mission Director , Paschim Banga Rajya Sishu Sikhsa Mission, Government of West Bengal)*.
5. Ms. Mousumi Mitra, learned advocate for the respondent leaves the matter to the discretion of the Court.

6. It is not in dispute that the petitioners are similarly circumstanced as of the petitioner in WPA 13660 of 2025.

7. In the aforesaid writ petition, following direction was issued:

“Therefore, this Court finds it apt to grant identical relief to the petitioner thereby treat the petitioner as Samprasarak/Samprasatika by not giving credence to the option exercised by the petitioner and filled in DCF. Mere issuance of memorandum dated 29th August, 2024 and subsequent steps taken by the petitioner in submitting DCF should not act as fetter so far as present petitioner is concerned to be treated as Samprasarak/Samprasatika without giving credence to the option and filled in DCF which was submitted by the petitioner. In view of aforesaid discussions the writ petition stands allowed directing the concerned State authorities including PBRSSM authority to treat the petitioner as Samprasarak/Samprasatika and the option as well as filled in DCF which petitioner has exercised and submitted shall be treated as cancelled. It is also clarified that in future petitioner cannot claim the benefits as para teacher.”

8. In line with the above decisions, following directions are issued:

- (a) The petitioners be treated as *Sahayika* by not giving credence to the option exercised by the petitioners and filled in DCF.
- (b) Mere issuance of memorandum dated 29th August, 2024 and subsequent steps taken by the petitioners in submitting DCF should not act as fetter so far as present petitioners are concerned to be treated as *Sahayika* without giving credence to the option and filled in DCF which is submitted by the petitioners.
- (c) The respondent, Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, Government of West Bengal is directed to treat the petitioners as *Sahayika* and the option as well as filled in DCF which petitioners have exercised and submitted shall be treated as cancelled.

9. It is clarified that in future the petitioners cannot claim any benefit as *Para* Teachers.
10. With the above direction, the writ petition being **WPA 18682 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. 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.)