S/L 15
14.10.2026
Court No.24
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 30287 of 2026

Shila Bhowmik (Das)
Vs.
The State of West Bengal & Ors.

Mr. Bidhan Biswas

... for the Petitioner.

Md. Sarwar Jahan
Ms. Mousumi Mitra
Ms. Tapati Sarkar
Mr. Aritra Ranjan Dutta Roy

... for the Mission Director.

1. Affidavit of service filed in Court today be kept with the records.

2. The petitioner was initially serving as Sahayika in Shishu Shiksha Kendra. She exercised option to avail the benefit given in favour of Para Teachers.

3. The benefit of Para Teacher to be given to the Sahayika was, on publication of the notification dated August 29, 2024, found to be not beneficial. The petitioner, accordingly, intends to revert back to the status of Sahayika and remain in service till 65 years of age.

4. The petitioner has in the meantime crossed the age bar of 60 years on August 31, 2024 and has also received the terminal benefit.

5. Prayer has been made to permit the petitioner to continue service as Sahayika till she attains 65 years of age. She is agreeable to refund the money received by her.

6. Learned advocate representing the respondent no.2 submits, upon instruction that, the authority is

permitting the Sahayaks/Sahayikas to revert back to their service and remain in service till 65 years age.

7. It has been submitted that though the petitioner may be reverted in service but she will not be entitled to the financial benefit during the period she remained out of service. The petitioner will also not be entitled to claim any benefit of Para Teacher.

8. It has been submitted that the petitioner ought to refund any financial benefit received by her on attaining her age of superannuation of 60 years along with interest.

9. In view of the aforesaid submission, the concerned District Nodal Officer, the respondent no.3 herein is directed to calculate the amount to be refunded by the petitioner and intimate the same to her within four weeks from the date of communication of this order.

10. On refund of the amount by the petitioner, steps may be taken to permit the petitioner to rejoin her service as Sahayika at the earliest but positively within a fortnight.

11. The period during which the petitioner remained out of service will not be considered as discontinuation of her service as Sahayika. She would be permitted to remain in service till 65 years of age and she would not be entitled to receive any benefit meant for Para Teachers.

12. The writ petition stands disposed of.

13. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)