

26 NOV 2024

शिमला-1

No:EDN-H(2)B(2)10476/2024-CC
Directorate of Elementary Education,
Himachal Pradesh Lalpani Shimla-01.

Dated Shimla-171001 the Nov. 2024.

In the matter of CWP No. 10476/2024 Uttam Raj Vs State of HP & Ors.
Decided on 20.09.2024.

ORDER

Whereas, the petitioner Uttam Raj has filed CWP No. 10476/2024 titled as Uttam Raj TGT(Arts) Vs State of HP & Ors. In the Hon'ble High Court of H.P and Hon'ble court has disposed of the case with following orders:-

"3. In this respect, learned counsel for the petitioner has further drawn attention of this Court to letter dated 08.09.2023 wherein the respondent/State has implemented the aforesaid judgment.

4. Learned counsel for the petitioner further submits that w.r.t. the grievances being raised in the present petition, an appropriate representation dated 21.08.2024 stands made to the concerned authorities. The same is appended with the present petition as Annexure P-6.

5. Learned Addl. Advocate General submits that the representation so made by the petitioner, shall be decided within a period of four weeks from today.

6. In view thereof, present petition is disposed of, so also the pending application(s), if any."

In this regard, it is submitted that after perusal of the record it is found that the petitioner in CWP No. 10476/2024 titled as Uttam Raj vs State of HP & Ors is initially appointed as TGT(ARTS) on contract basis under physically handicapped quota vide this Directorate office order dated 19.04.2021.

Whereas, the judgment passed in CWPOA No. 1077 of 2019 titled as Nitin Kumar Vs State of HP & anr pertain to the Department of Women & Child Development H.P and same has been implemented by the Department of Women & Child Development H.P vide office order No. WCD-AC(1)-12/2012-Estt.(Court) dated 04.04.2023 (copy enclosed). The Judgment passed in CWP No. 4299 of 2019 titled as Pushpa Devi & others Vs State of H.P & others has also been implemented by H.P University Shimla vide office order No. 6-2/2019-HPU (Estt.)- dated 06.10.2022 by regularizing the services of the petitioners (who were appointed on contract basis under physically handicapped quota) w.e.f. the date(s) of their initial joining on contract basis with all consequential benefits including counting the period for the purpose of seniority etc.

Whereas, similar matter of CWP No. 3957/2023 titled as Vinod Kumar Rana Vs State of H.P was taken up with the Government vide letter No. EDN-H(2)B(2)3957/2023-TGTs- Vinod Kumar Rana dated 01.01.2024 & 22.03.2024 and the Government vide letter No. EDUC-E05/21/2023 dated 24.05.2024 conveyed the approval to implement the judgment dated 02.08.2023 subject to final outcome of the further legal remedy, in any, being exercise by the State. Accordingly the Department implement the judgment of the Hon'ble High Court of H.P vide office order No. EDN-H(2)B(2)3957/2023 -CC dated 25.05.2024.

In view of above facts and circumstance and further approval conveyed by the Government vide letter No. EDUC-E05/21/2023 dated, 21.11.2024, the petitioner Uttam Raj S/o Sh. Prakash Chand VPO & Teshil Jaisinghpur (Drera) Distt. Kagra HP, TGT (ARTS) is hereby considered deemed regular employee of the State with all consequential benefits w.e.f. the date of initial appointment/joining on contract basis, subject to final outcome of legal remedy, if any, exercised by the State

The concerned Principal/Headmaster/Incharge of GSSS/GHS/GMS of H.P is further directed that consequential benefits regarding monetary benefits qua the petitioners shall be released as per the

instructions issued by the Finance Department H.P vide letter No. Fin-
(PR)B(7)-1/2021-Loose dated 17.09.2022 and No. Fin-E-I-C(17)-6/08 dated
31.07.2024 and entry in this regard may also be made in the service book of
the petitioner. May inform the parties accordingly.

SLA
Director Elementary Education,
Himachal Pradesh, Lalpani,
Shimla-1

EndsNo:Even Dated:-

November,2024

Copy Forwarded for information and n/a to:-

1. The Secretary (Education) to the Govt. of H.P. w.r.t. letter No. EDUC-E05/21/2023 dated, 21.11.2024
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.t. CWP 10476/2024.
3. The concerned Dy. Director of Elementary Education.
4. The concerned Principal/Headmaster, GSSS/GHS/GMS of H.P.
5. The concerned individual.
6. The Nodal Officer, IT Cell, Dte. Of Ele. Edu. H.P. to upload the same on Departmental website.
7. Guard File.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

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Director Elementary Education,
Himachal Pradesh, Lalpani,
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