

Aug, 2025

In the matter of: CWP No. 9477/2025- titled as , Anil Kumar Vs. State of H.P.
and others.

Whereas, Anil Kumar, TGT (NM) presently working in GMS Sullo u/c GSSS Aura, Distt. Chamba has filed CWP. No. 9477/2025- titled as Anil Kumar, Vs. State of H.P. and others before the Hon'ble High Court, seeking the relief that he may be transferred from GMS Sullo u/c GSSS Aura, Distt. Chamba at one of the stations of her choice in Distt. Kangra. The case of the petitioner was listed before the Hon'ble High Court on 06.06.2025 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"Having regard to the nature of prayer made in the instant petition and order proposed to be passed, this Court sees no necessity to call for the reply on behalf of the respondents, who are otherwise represented by Mr. Vishal Panwar, learned Additional Advocate General. Mr. Panwar fairly states that pending representation, if not already decided, shall be decided expeditiously, in accordance with law. 4. Consequently, in view of the above, present petition is disposed of, with the direction to respondents to consider and decide his pending representation (Annexure P-3) expeditiously, preferably, within a period of four weeks from today. Needless to say, authority concerned while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate orders thereupon taking note of Transfer Policy, formulated by the Government of Himachal Pradesh, as taken note hereinabove. Pending application(s), if any, shall also stand disposed of."

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 03.07.2025 by the undersigned and the petitioner attended the personal hearing on scheduled date and time and was heard at length. During the course of hearing, the petitioner requested that he may be transferred from GMS Sullo u/c GSSS Aura, Distt. Chamba to GMS Dohab u/c GSSS Sahapur or GMS Karahpura u/c Dholoon or GHS Sihund or GMS Ansui or GHS Ketlu or GSSS Rait, Distt. Kangra against longer stayee or against vacancy.

After perusal of the relevant record, it is revealed that the petitioner has been working at GMS Sullo u/c GSSS Aura, Distt. Chamba since 21.02.2022. GMS Sullo which falls under hard area and the petitioner has completed his normal tenure in hard area i.e. two winters and three summers.

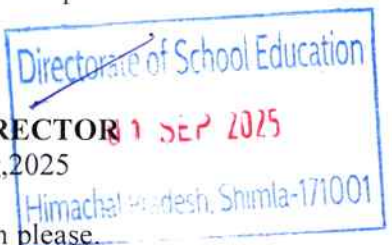
Therefore, keeping in view the position stated above, the representation made by the petitioner is considered sympathetically and he is hereby transferred from GMS Sulla u/c GSSS Aura, Distt. Chamba to GSSS Jassai, Distt. Kangra against vacancy without TTA/JT.

Therefore, the representation of the petitioner is disposed of after due consideration. All the concerned be intimated accordingly.

EndstNo:- Even dated Shimla-1, the
Copy to the following for information and necessary action please:-

1. The District Attorney (Edu) Dte. of Scl. Edu. Shimla for information please.
2. The Deputy Director of Elem. Education, Kangra/Chamba(H.P.).
3. The Principal/Headmaster, GSSS Jassai, Distt. Kangra / GSSS Aura, Distt. Chamba (H.P.)
4. Sh. Anil Kumar TGT (NM) at GSSS Aura, Distt. Chamba (H.P.)
5. Incharge (IT) Directorate of School Education.
6. Guard File.

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Dated Shimla-171001 the

August, 2025

ORDER

In the matter of: CWP No. 9912/2025 titled as Gurpreet Kaur & Ors. vs. State of HP and others.

Whereas, the petitioners, Gurpreet Kaur and others have filed Civil Writ Petition No. 9912/2025 in the Hon'ble High Court with the following relief:-

- "(i) That writ of mandamus may kindly be issued directing the respondent department to treat the petitioners as contractual Punjabi Language Teachers from their initial date(s) of appointment i.e. 2010, 2011 & 2012 in terms of Recruitment & Promotion Rules, 2007, dated 09.10.2007 (Annexure P-2) with all consequential benefits.*
- (ii) That writ of mandamus may kindly be issued, directing the respondent department to regularise the services of the petitioners as per regularisation policy dated 17.08.2012 (Annexure P-6) from the due date i.e. year 2016, 2017 & 2018 respectively with all consequential benefits."*
- (iii) That writ of mandamus may kindly be issued, directing the respondent department to grant seniority to the petitioners as contract teachers from the initial date(s) of their engagement in the department i.e. 2010, 2011 and 2012 and the said seniority may kindly be counted for the sake of increment, retiral benefits and pension etc."*

Whereas, the Hon'ble High Court of HP has decided above CWP No. 9912/2025 on 26.06.2025. Operative part of the judgment is as under:-

- 2. Learned counsel for the petitioners submitted that the petitioners would be content, in case, respondents are directed to consider and decide the representation dated 11.06.2024 (Annexure P-14) preferred by the petitioners in light of the law laid down in Om Parkash Vs. State of H.P. & Ors², Priya Guleria & Ors. Vs. State of H.P. & Ors.³ and Abida Parveen & Anr. Vs. State of H.P. & Ors⁴, in a time bound manner. Learned Deputy Advocate General has no objection to this prayer.*
- 3. Having regard to the afore-submissions, but without examining the merits of the matter, the writ petition is disposed of by, directing the respondents/competent authority to consider and decide the aforesaid representation of the petitioners, in accordance with law and in terms of aforesaid decisions, within eight weeks from today. The order so passed be communicated to the petitioners. Pending miscellaneous application(s), if any, shall also stand disposed of.*

Whereas, the Hon'ble High Court of HP has decided the CWP No. 2045/2019 titled as Abida Parveen and Anr. Vs. State of HP and ors. on 20.10.2021. Operative part of the judgment is as under:-


"Consequently, in view of the detailed discussion made herein above as well as law laid down by the Hon'ble Apex Court, present petition is allowed and respondents are directed to convert the services of the petitioners from daily period basis to contract in terms of communication dated 21.12.2018, from the due date. Having taken note of the fact that petitioners are serving the department for more than ten years, this court hopes and trusts that needful shall be done by the respondents expeditiously, preferably within a period of six weeks from today. In the aforesaid terms, present petition is disposed of alongwith pending applications, if any".

Whereas, the petitioners of CWP No. 7602 of 2010 titled as Om Prakash & ors. vs. State of HP and CWP No. 10729/2023 titled as Priya Guleria, & Ors. Vs. State of H.P. were initially appointed on contract basis, prior to the amendment of R&P Rules when there was no provision to appoint a person on contract basis. Thus, in compliance to the judgment passed in aforesaid cases the petitioners were considered for deemed regularization alongwith pay scale and other benefits from the date of their initial appointment on contract basis.

And whereas, in compliance to the decision passed by the Hon'ble High Court in CWP No. 9912/2025 – Gurpreet Kaur and others vs. State of HP and others on 26.06.2025, the service record of the petitioners has been examined and it reveals that the petitioners were initially appointed as Urdu Language Teachers and Punjabi Language Teachers on period basis during the year of 2010, 2011 and 2012 in accordance with policy framed on dated 19.10.2009. Later on, the Govt. had took a policy decision as conveyed by the Govt. vide its letter No.EDN-B-B(6)-2/2014 dated 19.12.2018 wherein it has been approved that the services of qualified period based Punjabi and Urdu Language Teachers who have fulfill the requisite qualification as per exiting R&P Rules may be taken on contract basis. Consequently, in compliance to the orders of the Govt. the services of the petitioners have been taken on contract basis during the year of 2018, 2019 and 2020 on completion their requisite qualifications, strictly in accordance the provisions of the Recruitment and Promotion Rules. Subsequently, as per Govt. instructions issued by the Department of Personnel from time to time, the services of the petitioners had been regularized.

Now, therefore, in compliance with the Hon'ble High Court's judgment dated 26.06.2025, and after a careful examining the service records of the petitioners', the claim of the petitioners for deemed regularization from the date of their initial joining on a period basis does not seems genuine as the petitioners were appointed in accordance with policy framed by the Govt. and conveyed vide letter No. शिक्षा-II (ख)6-4/2000 लूज dated 19.10.2009 not as per the provisions contained in the R&P Rules of respective categories. Accordingly, the representation of the petitioners is hereby considered and rejected.

This order is to be communicated to all concerned parties.


Director of School Education,
Himachal Pradesh, Shimla-1
August, 2025


Endst. No:Even

Dated:-

Copy forwarded for information and n/a to:-

1. The District Attorney, Directorate of School Education H.P. Shimla-01 w.r.t. CWP ibid.
2. The Dy. Directors of School Education (Elementary) **Bilaspur/Chamba/Kangra/Solan/Shimla.**
3. The Nodal Officer, IT Cell, Dte. of School Edu. H.P. to upload the same on official website.
4. Smt. Gurpreet Kaur wife of Shri. Jasvinder Singh, resident of Near Rest House, Village and P.O. Jawali, Tehsil Jawali, District Kangra, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Jawali, District Kangra, H.P.
5. Smt. Jasvinder Kaur, wife of Shri Gurjeet Singh, resident of Village Dhang Tapperian (Nichli), P.O. Plassi Kalan, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Dhang Nichli, District Solan, H.P.
6. Smt. Harpreet Kaur wife of Shri Jasdeep Singh, resident of C/o Shri Surinder Pal Singh, House No. 117, Krishna Nagar, Shimla, H.P., presently working as Punjabi Language Teacher in Government High School Krishna Nagar, Shimla, H.P.
7. Smt. Anupam Sharma wife of Shri Pardeep Sharma, resident of Balram Bhawan, P.O. Summerhill Near M.I. Room, Summerhill, Shimla- 5, presently working as Punjabi Language Teacher in Government Utkrisht Senior Secondary School Summerhill, Shimla-171 005.
8. Smt. Daljeet Kaur wife of Shri Shiv Kumar, resident of Village and P.O. Bassi, Tehsil Shri Naina Devi Ji, District Bilaspur, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Bassi, District Bilaspur, H.P.
9. Smt. Rajwant Kaur wife of Shri Amit Thakur, resident of Village and P.O. Dabhota, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Utkrisht Senior Secondary School Dabhota, District Solan, H.P.
10. Smt. Randip Kaur wife of Shri Charanjeet Singh, resident of Village and P.O. Bagheri, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Bagheri, District Solan, H.P.
11. Smt. Gurvinder Kaur wife of Shri Charanjeev Singh, resident of Village Jhiriwala, P.O. Reru, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Reru, District Solan, H.P.
12. Sh.Hem Raj Sharma Shri Bhagat Ram Sharma, resident of Village Lohari, P.O. Saur, Tehsil Ramshehar, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Saur, Tehsil Ramshehar, District Solan, H.P.

13. Smt. Harjinder Kaur wife of Shri Raj Kumar, resident of Village Bela, P.O. Rajpura, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Manjholi (N), Tehsil Nalagarh, District Solan, H.P.
14. Sh. Daljit Singh son of Shri Hardyal Singh, resident of Village and P.O. Majari, Tehsil Shri Naina Devi Ji, District Bilaspur, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Majari, Tehsil Shri Naina Devi Ji, District Bilaspur, H.P.
15. Smt. Neerja Mahajan wife of Shri Rakesh Mahajan, resident of Gurdas Mal Kasturi Lal, Sittla Bridge Chamba, Tehsil and District Chamba, H.P., presently working as Punjabi Language Teacher in PM Shri Government Boys Senior Secondary School Chamba, District Chamba, H.P.
16. Smt. Jaswinder Kaur wife of Shri Harinder Singh, resident of Village and P.O. Joghon, Tehsil Nalagarh, District Solan, H.P., presently working as Punjabi Language Teacher in Government Senior Secondary School Joghon, Tehsil Nalagarh, District Solan, H.P.
17. Smt. Seema wife of Shri Ranjan Kaushal, resident of Village and P.O. Danni, Tehsil Nurpur, District Kangra, H.P., presently working as Punjabi Language Teacher in Government Girls Senior Secondary School Indora, Tehsil Indora, District Kangra, H.P.
18. Ms. Santosh Kumari daughter of Shri Tulsi Ram, resident of Village Balh Chalog, P.O. Marotan, Tehsil Jhandutta, District Bilaspur, H.P., presently working as Punjabi Language Teacher in PM Shri Government Senior Secondary School Baddi, District Solan, H.P.
- 19 Guard file.


**Director of School Education,
Himachal Pradesh, Shimla-1**

