

Dated: Shimla-171001 the May, 2025.

**ORDER**

In the matter of: CWP No. 9010/2023 titled as Hemant Sharma Vs State of H.P. & others.

Whereas, the above case was listed for hearing in the Hon'ble High Court on 30.12.2024 and the same was disposed of by the Hon'ble High Court. Operative part of the Judgment passed in CWP No. 9010/2023 is as under:-

18. *There already is a judgment of Hon'ble Division Bench of this Court, which has been referred by me hereinabove, in terms whereof, as Notification dated 29.07.2011, was not issued after complying with the provisions of the Act, therefore, said Notification was not binding upon the State Government. The findings returned by Hon'ble Division Bench have attained finality.*
19. *In the backdrop of the said adjudication of Hon'ble Division Bench that Notification dated 29.07.2011, is not binding upon the State Government as the same was not issued as per the provisions of the RTE Act/NCTE Act, the issuance of Circular, Annexure P-5, in terms of the said Notification and incorporating therein the qualifications prescribed in Notification dated 29.07.2011, is not sustainable in law. Once, there already is a finding returned by Hon'ble Division Bench of this Court that Notification, dated 29.07.2011, is not binding on the State Government and more so as said finding was given in light of the defence so taken by the State in the above referred earlier writ proceedings, the subsequent change in the heart of the Government is otherwise also not understandable. In fact, in terms of the impugned Circular, State has done what the petitioners in the earlier proceedings wanted this Court to direct the State to do, which the Court had refused.*
20. *Therefore, what could not be achieved by those petitioners through the Court has now been done by the State Government indirectly in terms of impugned Circular, Annexure P-5. However, fact of the matter remains that as the findings of Hon'ble Division Bench qua the enforceability of Notification, dated 29.07.2011, having attained finality, are binding on all stake holders including the State, respondent-State could not have had incorporated the provisions thereof in the impugned Circular.*
21. *In the light of the findings returned hereinabove, these Writ Petitions are allowed. Circular, Annexure P-5, is quashed and set aside by reiterating the findings returned by Hon'ble Division Bench of this Court in CWP No.1773 of 2020 (supra), with regard to the enforceability of Notification dated 29.07.2011 (Annexure P-3).*
22. *The petitions stand disposed of. Pending miscellaneous application(s), if any also stand disposed of accordingly.*

Whereas, above writ petition has been disposed of by the Hon'ble High Court on the basis of decision rendered in the Division Bench of the Hon'ble High Court under CWP No. 1773 of 2020 and the decision has been challenged further in the Hon'ble Apex Court under SLP (C) No. 5160 of 2023, titled as Ankur Raina vs State of HP.

Whereas, in compliance to the orders passed by the Hon'ble High Court in CWP No. 9010/2023-Hemant Sharma Vs. State of HP, the matter has been examined at the Govt. level and it has been decided by the Govt. that the process for recruitment may be kept pending till the final outcome of the above SLP.

And whereas, the matter under SLP (C) No. 5160 of 2023, titled as Ankur Raina vs State of HP is still subjudice in the Apex Court, therefore, the recruitment process for the posts of Shastri, will be taken after the final outcome of the SLP.

With these observations the petitioner be informed accordingly.

  
**DIRECTOR**

Endst. No. even, Dated: Shimla-1

May, 2025.

Copy forwarded for information to:-

1. The Distt. Attorney, Directorate of School Education H.P.



2. The Nodal officer (IT) internal with the request to upload the same on official website.
3. Hemant Sharma S/O Sh. Babu Ram, R/O Ward No. 7, Near Municipal Council Park, Nalagarh, Tehsil Nalagarh, Distt Solan, Hp.
4. Manju W/O Sh. Dharam Pal R/O Village Rathol, P.O Balt, Tehsil Balh, Distt Mandi, H.P.
5. Santosh Kumar S/O Lt. Sh. Partap Singh, R/O Village Barsheel P.O. Pekha Tehsil Chirgon Distt. Shimla H.P. Occupation Farmer
6. Ganesh Dutt S/O Lt. Sh. Ind Ram, R/O Village Jagoti P.O. Kaloti Tehsil Chirgaon Distt. Shimla H.P.
7. Harish Kumar S/O Sh. Pritham Dev, R/O Vpo Masli Tehsil Chirgaon Distt. Shimla H.P.
8. Virender Pal Dutt S/O Sh. Vidya Dutt Years R/O Village Parsa P.O. Lower Kotti Tehsil Rohru Distt. Shimla H.P.
9. Smt. Mamta Kumari W/O Sh. Pinku Ram, R/O Vpo Chirgaon Tehsil Chirgaon Distt. Shimla H.P.
10. Dev Raj S/O Lt. Sh. Hazarinand, R/O Vpo Masli Tehsil Chirgaon Distt. Shimla H.P.
11. Sudershan Kumar Son Of Sh. Ram Dass, Resident Of Vpo Jadal-Taproli, Tehsil Rajgarh, District Sirmour, H.P.
12. Kapil Son Of Sh. Geeta Ram Pandey, Vpo Deothi-Maghgaon, Tehsil Rajgarh, District Sirmour, H.P.
13. Premika Negi, D/O Sh. Dalip Kumar, Vpo Urhi, Tehsil Nichar, District Kinnaur, H.P.
14. Deepak Sharma, Son Of Sh. Maya Ram, Vpo Drabla, Tehsil Rajgarh, District Sirmour, H.P.
15. Nishchala, Wife Of Sh. Ashok Kumar, Vpo Digesh, Tehsil Anni, District Kullu, H.P.
16. Saurabh Pandey Son Of Sh. Suresh, Vpo Manewti, Tehsil Nerwa, District Shimla, H.P.
17. Hem Lata, D/O Sh. Geeta Ram, Vpo Khaddar, Tehsil Chopal, District Shimla, H.P.
18. Vinta Devi, Wife Of Sh. Ajay Kumar, Village Bharoli, Post office Sheel, Tehsil Rohru, District Shimla, H.P.
19. Ritika, D/O Sh. Kaviraj, Village Khandar, P.O. Galanag, Tehsil And District Solan, H.P.
20. Rajender Kumar S/O Sh. Ranu Ram Resident Of Ward No.4 Post Office Sidhpur Sarkari, Tehsil Palampur, District Kangra Himachal Pradesh
21. Sanjeev Sharma S/O Sh. Roshan Lal, Resident Of Village Gadot, Post Office Sehri, Tehsil Rakkar District Kangra, Himachal Pradesh,
22. Dev Raj S/O Sh. Puran Chand, Resident Of Villager Bagesher, Post Office Kuthar, Tehsil Theog, District Kangra Himachal Pradesh,
23. Rana Jung Bahadur Sharma S/O Sh. Bal Krishan Resident Of Village And Post Office Banyala, Tehsil Rakkar District Kangra, Himachal Pradesh.
24. Ranjna Devi W/O Bharat, Resident Of Village And Post Office Sehri, Tehsil Rakkar District Kangra, Himachal Pradesh.
25. Asha Kumari Wife Of Rajender Kumar, Resident Of Village Churhari, Post Office Bathri, Tehsil Dalhousie, Distt. Chamba, H.P.
26. Lal Singh S/O Sh. Jagat Ram, R/O Village Salpad, P.O. Pukrhi, Distt. And Tehsil Chamba, 176310.
27. Tilak Raj S/O Sh. Chain Lal, R/O Village Kudgal, P.O. Sirhkund, Distt. And Tehsil Chamba, 176310.
28. Ramesh Kumar, S/O Sh. Kailash Chand R/O Village Kudgal, P.O. Sirhkund, Distt. And Tehsil Chamba, 176310.
29. Sunil Kumar, S/O Sh. Ghinder Singh, R/O Village And P.O. Chakloo, Tehsil-Pukhari, Distt. Chamba, 176310.
30. Vikas Kumar S/O Late Sh. Suresh Kumar, R/O Village Baroh, P.O. Rajpura, Distt. And Tehsil Chamba, 176310.
31. Tek Chand S/O Sh. Bainsu Ram R/O Village Lahuwa, P.O. Kihar, Tehsil Salooni Distt. Chamba 176308.
32. Bhag Dei W/O Sh. Sanjay Kumar, R/O Village Kudgal, P.O. Sirhkund, Distt. And Tehsil Chamba, 176310.
33. Ravi Kumar S/O Sh. Hari Chand R/O Village Dhanour, P.O. Gharer, Tehsil Bharmour And Distt. Chamba 176315.
34. Babli, 38 W/O Sh. Dhrinder Kumar, R/O Village Dol P.O. Pukhari, Tehsil- And Distt. Chamba, 176319.
35. Vishal S/O Sh. Narain Singh, R/O Village Shakti Dehra, Distt. And Tehsil Chamba, 176310.
36. Anil Kumar S/O Sh. Basso Ram, R/O Village Tunhi, P.O. Thakri Matti, Tehsil- Salooni And Distt.- Chamba, 176308.
37. Mahesh Kumar, S/O Sh. Ghindro Ram R/O Village Rupani, P.O. Rajnagar, Tehsil And Distt. Chamba 176310.
38. Darshan Kumar, S/O Sh. Gian Chand R/O Village Ukhlu, P.O. Koti, Tehsil And Distt. Chamba 176312.



39. Praveen Kumar, S/O Sh. Natho Ram R/O Village Kunna, P.O. Balera, Tehsil Dalhousie And Distt. Chamba 176301.
40. Lal Chand S/O Sh. Kisho R/O Village Digho P.O. Sunara, Tehsil And Distt. Chamba 176311.
41. Rakesh Kumar, S/O Sh. Nikku Ram R/O Village Salga, P.O. Chaned, Tehsil And Distt. Chamba 176314.
42. Varsha Sharma W/O Sh. Sandeep Kumar R/O Village And , P.O. Mangla, Tehsil And Distt. Chamba 176314.
43. Lalit Kumar, 35 S/O Sh. Gian Chand R/O Village Dungli, P.O. Rathian, Tehsil And Distt. Chamba.
44. Vijay Kumar, S/O Sh. Gulhu Ram R/O Village Tatan, P.O. Karyas, Tehsil Pangi And Distt. Chamba.
45. Rita Kumari D/O Sh. Raj Kumar R/O Village-Dhamd, P.O. Samdhi, Tehsil Chamba, Bayal 176319.
46. Bharti Devi D/O Sh. Bachan Singh R/O Village And , P.O. Rajnagar, Tehsil And Distt. Chamba 176310.
47. Rashma Kumari, D/O Sh. Sukh Dev R/O Village-Chalari And , P.O. Bagdhar, Tehsil Chamba Dalhousie Distt. 176303.
48. Monika Devi, D/O Sh. Prakash R/O Village Bhangrotha And , P.O. Rajpura, Tehsil And Distt. Chamba 176310.
49. Kamlesh Kumar S/O Sh. Madan Lal R/O Village Masroond Tehsil And Distt. Chamba.
50. Chaman Singh, S/O Sh. Lehlu R/O Village Sulana, P.O. Bhanjraru, Tehsil Churah And Distt. Chamba.
51. Vyas Dev, S/O Sh. Moti Ram R/O Village Tornu, Chowari, Kalehtar (212) Chamba 176302.
52. Sapna Sharma D/O Sh. Rajmal R/O Village Bhanuta, Chamba 176310.
53. Rajinder Kumar S/O Sh. Sobhia Ram, R/O Village - Tunhi, P.O.- Thakuri Matti, Tehsilsalooni, Distt. - Chamba, H.P.
54. Mamta Devi, W/O Sh. Mohinder Singh, R/O V.P.O.- Dighai, Tehsil - Salooni, Distt.- Chamba , H.P
55. Suneel Kumar S/O Sh. Bhagat Ram, R/O V.- Uaahana, P.O.- Sarahan, Tehsil And Distt. - Chamba, H.P.
56. Kamna Devi D/O Sh. Nidhia Ram, R/O V.- Sakloga, P.O.- Khushnagari, Tehsil- Churah, Distt. Chamba, H.P.
57. Chandresh Kumari D/O Sh. Dharam Chand Yrs, R/O V.- Dhiluini, P.O.- Mashroond, Subtehsil- Pukhri, Distt.- Chamba, H.P
58. Guard File.

  
**DIRECTOR**





