

Dated

Shimla-171001

Oct.2025

ORDER

Whereas, the petitioners in CWP No. 11532/2025 titled as Rajan & Ors. vs State and CWP No. 10597/2025 titled as Naveen Vs State of HP have been appointed on contract basis in different years on fixed contractual emoluments equivalent to minimum of pay band plus grade pay and have further been regularized. Now they have filed court case that after issuance of notification dated 3rd January, 2022, the pay band on which they were offered appointment on contract basis should be revised w.e.f. 01.01.2016 at par with regular employees.

Whereas, the contract salaries in r/o all the contract employees are regulated by Finance Department and on 03-01-2022 State of HP notified Revised Pay Scale Rules-2022 and these rules were made applicable for regular employees of the State w.e.f. 01-01-2016.

Whereas, revised emoluments for contract employees were notified and made applicable w.e.f. 01-01-2022 and contract employees are fixed @ 60% of minimum of pay scale (at the lowest grade, in the regular pay scale). Further, the notification for the grant of arrears on account of pay revision is issued on dated 17-09-2022 by the State of HP qua regular employees which was not applicable for contract period.

Whereas, the above said court case No. 11532/2025 Titled as Rajan Vs. State of HP was listed in Hon'ble High Court on dated 18-07-2025 wherein it has been ordered as under:-

"3. According to the petitioners, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioners is that their representation dated 10.06.2025 at Annexure P-4 has still not been decided by the respondents/competent authority.

4. Once the legal principle involved in the adjudication of present petition has already been decided, it is expected from the welfare State to consider and decide the representation of the aggrieved employee within a reasonable time and not to sit over the same indefinitely compelling the employee to come to the Court for redressal of his grievances. This is also the purport and object of the Litigation Policy of the State. Not taking decision on the representation for months together would not only give rise to unnecessary multiplication of the litigation but would also bring inotherwise avoidable increase to the Court docket on unproductive government induced litigation.

5. In view of above, the instant petition is disposed of by directing respondents/competent authority to consider and decide the aforesaid representation of the petitioners, in accordance with law, within a period of six weeks from today. The order so passed be also communicated to the petitioners. Pending miscellaneous application(s), if any, shall also stand disposed of."

The court case No. 10597/2025 Titled as Naveen Vs State of HP was listed in Hon'ble High Court on dated 18-07-2025 wherein it has been ordered as under:-

"2. Before reply, if any could be called for from the respondents, learned counsel for the petitioners invited attention of this Court to judgment dated 21.5.2024, passed by the coordinate Bench of this Court in bunch of petitions, lead case whereof is CWP No. 8148 of 2022, titled as Yashwant Kumar v. State of Himachal Pradesh and Ors., to state that issue otherwise sought to be decided in the instant proceedings, already stands adjudicated in the aforesaid judgment and as such, petitioners would be content and satisfied in case directions are issued to the respondents to consider and decide case of the petitioners in light of aforesaid judgment. He further submitted that in one of the connected cases i.e. COPC No. 722 of 2024 in CWP No. 2056 of 2023, titled as Ghanshyam Dass and Ors. v. Mr. Devesh Kumar and Ors. decided on 18.6.2025, afore judgment has not only been implemented, but benefit arising out of the same has already been released to the petitioners in terms of orders passed by this Court in Ghanshyam Dass (supra) Having carefully perused aforesaid

judgment vis-à-vis relief sought in the instant petition, Mr. B.C. Verma, learned Additional Advocate General, while putting in appearance on behalf of the respondents, states that he is not opposed to the aforesaid innocuous prayer made by the petitioners with regard to disposal of their representation.

3. Having carefully perused averments contained in the petition, which are duly supported by an affidavit, this court finds that issue sought to be decided in the instant proceedings already stands adjudicated in the aforesaid judgment. Limited grievance of the petitioners in the case at hand is that as Himachal Pradesh Civil Services (Revised Pay) Rules, 2022 were given effect w.e.f. 1.1.2016, therefore, petitioners are also entitled to be paid the difference of the minimum of pay band plus grade pay as was actually paid to them vis-à-vis the minimum of pay band plus grade pay after revision. Coordinate Bench of this Court having taken note of aforesaid fact has already directed in bunch of petitions, as has been noticed herein above, to fix the pay of the petitioners for the period they served on contract basis in the revised pay band plus grade pay alongwith such hike, to which they are entitled to in terms of revised notification, which has been not held invalid till date.

4. Consequently, in view of the above, this Court, without going into the merits of the case, deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the representation of the petitioners in light of Yashwant Kumar (supra), which has not been interfered till date, expeditiously, preferably within a period of four weeks. Ordered accordingly. In case, petitioners are found to be similarly situate to the petitioner in the aforesaid judgment, they would be extended similar benefits. 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 thereafter. Pending applications, if any, stand disposed of."

And whereas, the COPC No. 722/2024 in CWP No. 2056/2023 Ghanshyam Dass Vs State the petitioners were also appointed as PGT(IT) now renamed as Lecturer (School New)(Computer Science) in the year 2014 and regularized in the year 2017 and in view of Hon'ble High court of HP orders passed on dated 21.03.2024 and approval conveyed by the Secretary (Education) to the Government of Himachal Pradesh vide letter No. EDN-B-E(3)-12/2024 dated 17.06.2025 the same have been implemented by this Directorate office order dated 18-06-2025 and the same also been assailed by the department by way of filing LPA.

Whereas, the judgment passed in CWP No. 8148/2022 titled as Yashwant Kumar & Ors. Vs State has not been implemented yet and the same has been assailed by Health Department way of filing of LPA.

Now therefore, in view of facts and circumstances as explained herein above the claim of petitioners cannot be accorded as the LPA has already been preferred by Health Department in the leading case i.e. CWP No. 8148/2022 titled as Yashwant Kumar. Accordingly, the claim of the petitioners has been considered and rejected.

May inform the parties accordingly.


Director School Education
Himachal Pradesh.
October, 2025

Endst. No. Even. Dated : Shimla-1 the
Copies forwarded for information and necessary action to:-

1. Branch Supdt. Legal Cell , Directorate of School Education w.r.t. CWP No. 11532/2025 titled as Rajan & Ors. vs State and CWP No. 10597/2025 titled as Naveen Vs State of HP
2. The individual concerned in aforesaid CWPs.
3. Incharge, IT Cell (Internal) Directorate of School Education, Himachal Pradesh with the direction to upload the same on departmental website
4. Guard File.

Directorate of School Education
03 NOV 2025
Himachal Pradesh, Shimla-171001


Director School Education
Himachal Pradesh