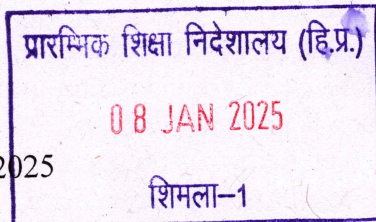


No. EDN-H(2)B(2)2004/2017-CC.
Directorate of Elementary Education
Himachal Pradesh Lal Pani Shimla-01



Dated Shimla-171001 the January, 2025

OFFICE ORDER

Whereas, various judgments have been passed by the Hon'ble High Court of HP in numerous CWPs to consider and decide the representations made by the petitioners. After careful consideration of the representations the petitioners are seeking benefits in light of the judgment passed by the Hon'ble High Court of HP in CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors dated 03.08.2023.

Whereas, The operative part of the judgment passed by the Hon'ble High Court of H.P. in CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors dated 03.08.2023 is reproduced as under:-

"Therefore, as the foundation of the order passed by the learned Tribunal, subject matter of these writ petitions, was the judgment of this Court in Narender Singh Naik's case (supra), which judgment itself was based on the Five Judge Bench judgment of the Hon'ble Supreme Court in Direct Recruit's case (supra), and as the learned Tribunal rightly held that the services rendered by the original applicants on contract basis were liable to be counted for the purpose of seniority and consequential benefits after their regularization, as the initial appointment of the original applicants on contract basis was after following the procedure prescribed in the Recruitment & Promotion Rules, we do not find any infirmity in the said findings and further as we do not find any merit in the writ petitions, the same are dismissed by upholding the order passed by the learned Tribunal. No order as to costs. Pending miscellaneous applications, if any, stand disposed of."

The said judgment was assailed by the State Government by way of filing SLP (C) No. 25641-42/2023 before Hon'ble Supreme Court of India. However, the SLP was dismissed by the Hon'ble Apex Court on 04.10.2023. Also the Food & Civil Supply Department thereafter filed review petition before the Hon'ble High Court of HP which was also dismissed by Hon'ble High Court.

And whereas, after perusal of record it is found that the petitioners in the present petitions were initially appointed as TGTs(Arts/Med/NM) from year 2012 to 2021 on contract basis through Direct Recruitment as per procedure prescribed in Recruitment & Promotion Rules (i.e. through commission, Batch wise, Sports cell, EXM cell & PHH quota). Consequently, their services were regularized as per the Govt. instructions issued from time to time. The period during which petitioners worked on contract basis was not counted for the purpose of seniority and promotions. Hence, the case of the petitioners in the present petitions are similar to CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors decided on 03.08.2023. It is pertinent to mention here that the case of Taj Mohammad has been implemented by the concerned Department.

In view of the facts stated here-in-above and further approval conveyed by the Govt. of HP vide letter No. **EDUC-E05/30/2024-EDU-C** dated 01.11.2024 and **EDUC-E05/30/2024 dated 20.11.2024**, the contract services rendered by the following TGTs(Arts/Med/NM) (petitioners) followed by regularization is hereby counted for the purpose of seniority subject to final outcome of any legal remedy, if any, exercised by the State. However, no consequential/monetary benefits will be given to the petitioners as the matter regarding consequential benefits is under consideration with State Government. The details of petitioners is as under :-

Sr. No.	Name & Address	Subject	Date of Appointment Contract	CWP No.
1.	Rajesh Kumar s/o Sh. Dalip Singh, VPO Amarpur, Teh. Ghumarwin, Distt. Bilaspur, HP	NM	17.08.2012	7261/2024
2.	Ashok Kumar S/o Sh. Ram Lal, VPO Kandraur, Teh. Sadar Distt. BLP	NM	17.08.2012	7261/2024
3.	Ramakant Shandilya S/o Sh. Krishan Dass VPO Chahri via Nagrota Bagwan, Teh. & distt. Kangra	NM	17.08.2012	7261/2024
4.	Devender Singh Ranout S/o Sh Sunder Singh Near New Court Chowk Ghumarwin Dist Bilaspur HP 174021	NM	24.02.2014	7261/2024
5.	Rajeev Kumar S/O Sh. Bishan Dass, Vill. & P.O. Berthin, Teh. Jhanduta, Distt. Bilaspur-174029	Med	24.02.2014	7261/2024
6.	Man Singh S/o Sh Tulsi Ram, Village Tiun Khas, PO Kothi, Tehsil Ghumarwin, Distt. Bilaspur, H.P. 174021	NM	03.11.2014	7261/2024
7.	Layak Ram S/o Sh Niku Ram, Village Luna, PO Manlog Kalan, Tehsil Nalagarh, Distt. Solan, H.P.	NM	03.11.2014	7261/2024
8.	Rajesh Chandel S/o Rattan Chand Chandel Vill. Thati Sunuan PO tarpohal Sujanpur Hamirpur	Med	22.04.2017	7261/2024
9.	Navin Kumar Dogra S/O Sh Jagdish Ram Vill-Chuwari Po & Tehsil Ghumarwin District Bilaspur(Hp)174021	Med	22.04.2017	7261/2024
10.	Sarla W/O Sh. Suresh Kapil V.P.O. Barota Teh. Ghumarwin Distt. Bilaspur H.P. 174027	Arts	29.09.2017	7261/2024
11.	Surender Pal Swaroop, S/o Sh. Bishan Swaroop, VPO Gandhir, Tehsil Jhandutta, Distt. Bilaspur(HP)-174029	NM	29.09.2017	7261/2024
12.	Manohar Lal S/o Karam Singh Bhatia Village Targhel PO Taraun Tehsil Ghumarwin District Bilaspur (HP)-174027	Arts	18.02.2021	7261/2024

13.	Anjana Kumari D/o Sh. Hari Singh , W/O. Ravinder Kumar,VPO. Lanjhta, Tehsil Ghumarwin, Distt. Bilaspur (HP)-174027	Arts	01.12.2014	6807/2024
14.	Ex Sgt Pankaj Dadwal S/o Sh Rasal Singh, Vill Gharrat PO Amroh Tehsil & Distt. Hamirpur, H.P. 177020	Arts	14.06.2014	4834/2024
15.	Ex Sub Avtar Singh S/o Sh. Chaman Lal Vill Daulatpur PO Khad via Pandoga Sub. Tehsil Ispur Distt Una 177207	Arts	18.09.2020	6655/2024
16.	Ex. Sgt Rajat Kumar S/O Sh. Balveer Bhadur c/o Sh. Balveer Bhadur Gali Baag Mata, Near DC Colony Una (HP) 174303	Arts	01.05.2019	6655/2024
17.	Ex Sub. Raj Kumar S/o Sh. Jondu Ram Vill Pahu PO Jharalari Tehsil Barsar Distt. Hamirpur HP 176041	Arts	18.09.2020	6655/2024
18.	Sonika Kumari D/O Amar Nath W/O Dr Amit Kumar VPO Naswal Tehsil Ghumarwin Distt Bilaspur HP 174021	Med	01.05.2019	6624/2024

The concerned Principal / Headmaster / Incharge of GSSS/GHS/GMS of H.P. is further directed that the entry in this regard may also be made in the service book of the petitioners. May inform the parties accordingly.

Sd/-
Director Elementary Education,
Himachal Pradesh, Lalpani, Shimla-1

प्रारम्भिक शिक्षा निदेशालय, हिमाचल प्रदेश, लालपानी, शिमला-1

EndstNo:Even Dated:- Shimla- the January, 2025

Copy forwarded for information and n/a to:-

1. The Secretary (Edu.) to the Govt. of H.P. w.r.t. letter No. **EDUC-E05/30/2024-EDU-C** dated 01.11.2024 & letter No. **EDUC-E05/30/2024** dated 20.11.2014.
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.t CWPs ibid.
3. All the Dy. Director of Elementary Education of the district concerned.
4. The concerned Principal/Headmaster, GSSS/GHS/GMS of HP.
5. The Nodal Officer, IT Cell, Dte. of Ele. Edu. H.P. to upload the same on Departmental website.
6. The Dealing Assistant, Seniority Seat (Internal), Dte. of Elem. Edu. With the direction to prepare the seniority of TGTs accordingly.
7. Individual concerned.
8. Guard file.

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