

No. EDN-H(2)B(12) CWP No. 6897/24-Una.  
Directorate of Elementary Education  
Himachal Pradesh, Shimla-171001  
Dated Shimla-171001 December, 2024

**"OFFICE ORDER"**

CWP No. 6897/ 2024- titled as Sarjeev Kumar and others V/s State of H.P.  
(Reg. benefit of approved military service towards fixation of pay from the date of joining in civil employment).

The petitioners have filed the present Civil Writ Petition before the Hon'ble High Court and prayed that petition may be allowed and the respondent may be directed to grant the benefit of approved military service towards fixation of pay in favour of the petitioners as from the date of their joining in civil employment and accordingly pay be refixed with all consequential benefits. The above said case was listed before the Hon'ble High Court on 18.07.2024, when Hon'ble Court has passed the following orders:-

*"Learned counsel for the petitioner submits that the petitioners have filed representations with regard to the issue raised in the petition, but the same has not been decided by the Authorities till date. This petition, accordingly, as prayed for is disposed of with the direction that the let representation of the petitioners be decided in the light of the averments made therein as well as the judgments being relied upon by the petitioners, with a period of four weeks' by the Competent authorities. Pending miscellaneous application if any also stand disposed of."*

The petitioners in above said CWP were appointed as TGT on contract basis w.e.f., 14.06.2018 under category of Ex-Serviceman and their services have been regularized by the department w.e.f. 23.10.2021. As per information received from concerned DDEE, the pay of the petitioner has been fixed as per Govt. Notification dated 01.04.2021. As per clarification received from Department of Personnel letter No. PER(AP)-C-B(12)-1/ 2013 dated, 01.04.2021 following has been clarified:-

*"In view of the orders passed on dated, 15.07.2020 by Hon'ble High Court of Himachal Pradesh in CWPOA No. 231 of 2019 and CWPOA No. 237 of 2019 as well as in light of the prospective applicability of the amended rules notified on dated, 29.01.2018, it is clarified that the matters of pay fixation of ex-servicemen pending for decision only up to 29.01.2018 be disposed of in accordance with para-5(ii) of this Department letter of even number dated, 25.02.2019 as referred above, allowing benefit of counting past service rendered in the armed forces towards pay fixation without imposing the condition of minimum age and qualification and the settled position may not be unsettled."*

Since, the petitioners have been appointed after 29.01.2018, and as per Govt. notification dated 01.04.2021, the petitioners are entitled for pay fixation benefit from the date of acquiring requisite qualifications. Hence, the representation of the petitioners is considered and decided accordingly.

All the concerned be intimated accordingly.

**Regd.**

1. Sh. Sanjeev Kumar, TGT(A), GSSS, Kaloh Distt. Una.
2. Sh. Pankaj Dadwal, TGT(A), GMS Manihal u/c GSSS, Amroh, Tehsil and Distt. Hamirpur.
3. Sh. Suresh Kumar Agarihotri, TGT(A), GSSS, Raipur Maidan Distt. Una.
4. Sh. Pradeep Kumar, TGT(A), GSSS, Bada Distt. Kangra.
5. Sh. Rajesh Thalwal, TGT(NM), GHS Harrot u/c GSSS, Hamirpur Distt. Kangra.
6. Sh. Naresh Rana, TGT(NM), GHS Bandahu, Tehsil Jaisinghpur Distt. Kangra.
7. Sh. Vineet Kumar, TGT(A), GMS Balh u/c GSSS, Hamirpur Distt. Hamirpur.

Endst. No. Even dated. Shimla-171001,  
Copy forwarded to:-

December 2024.

**DIRECTOR**

1. The Distt. Attorney (Legal Cell) w.r.t. their U.O. No. EDN-H (Ele)(18)LC-1256/2014 dated 28.11.2024 for information please.
2. Guard file.

प्रशिक्षक शिक्षा निदेशालय (हि.प्र.)

26 DEC 2024

शिमला-1

**DIRECTOR**