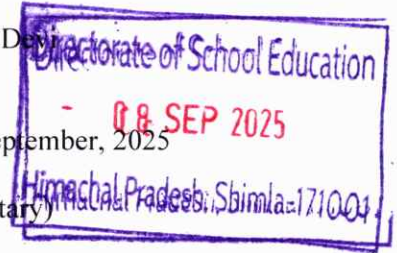


No.EDN-H(Ele-III)-CWP No.-9871/2023-Poonam Devi
Directorate of School Education
Himachal Pradesh, Lalpani, Shimla-1
Dated: Shimla-171001 the

September, 2025



To

✓ All the Dy. Directors of School Education (Elementary)
Himachal Pradesh.

Subject:-

Regarding withdraw the benefit released in compliance to the judgment passed in LPA 4059/2013 in CWP No. 3144 of 2011-Anju Devi, LPA No. 4060/2013 in CWP No. 3143/2011- Manju Devi and O.A. No. 5561/2015 titled as Tej Ram & ors. vs. State of HP and ors.

Sir,

In continuation to this office letter No.EDN-H(Ele-III)-CWP No.-2171/2023-Hem Raj dated 17.07.2025 on the subject cited above, vide which all orders had been withdrawn which were earlier issued on the analogy of CWP No. 414/2014 titled as Kuldeep Chand Vs State of HP & ors. (connected with LPA No. 54/2013 titled as State of Himachal Pradesh & Ors. vs. Om Prakash alongwith LPA No. 21/2013 filed in CWP No. 7602 of 2010 titled as Om Prakash Versus State of H.P. and others & LPA No. 4059/2013 in CWP No. 3144 of 2011-Anju Devi & LPA No. 4060/2013 in CWP No. 3143/2011- Manju Devi and O.A. No. 5561/2015 titled as Tej Ram & ors. vs. State of HP and ors.) and all other connected matters in view of **"The Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024" (Act No. 23 of 2025)** dated 19th February, 2025.

In view of above Act. No. 23 of 2025 as well as judgment passed in CWPOA No. 1695/2019 titled as Sh. Ajay Kumar Thakur & ors. Vs. State of HP, the matter was taken up with the Govt. and it has been decided with the consultation of the Advocate General that the judgments passed by the Hon'ble High Court qua deemed regularisation are not covered by "The Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024" (Act No. 23 of 2025).

Operating part of the judgment passed in CWPOA No. 1695/2019 is as under:-

15. At the time of issuance of advertisement, in the R & P Rules, which were in force, there was no provision for appointment on contract basis, as such, the act of the respondents, to appoint the petitioners on contract basis, is not sustainable in the eyes of law.

18. Considering the above factual position, the present petition is allowed with costs and the respondents are directed to extend the benefit of deemed regular appointment to the petitioners, with effect from the date of their initial appointment/joining, on contract basis, along with all consequential benefits, however, monitory benefits are restricted to a period of three years immediately preceding to the date of filing of the petition.

19. It is made clear that the outstanding amount, as ordered, be released to the petitioners, within a period of two months from today, failing which, the respondents shall be liable, not only to pay the amount, in question, but, also interest thereupon, at the rate of 9% per annum, from the date of their entitlement i.e. three years proceeding to the date of filing of the petition till its realization.

In compliance to the above direction the instruction issued vide this office letter No.EDN-H(Ele-III)-CWP No.-2171/2023-Hem Raj dated 17.07.2025 is hereby withdrawn. Further, it is directed that all judgments passed on the analogy of judgments referred in the above paras be implemented letter & spirit in accordance with the directions passed by the Hon'ble High Court. It is also directed that the monetary benefits may be released to the petitioners strictly as per decision of the Hon'ble High Court as well as instructions passed by the finance department vide letter No. Fin-(PR)B(T)-1/2021-loose dated 17.09.2022 and No.Fin-E-1-C-(17)-6/08 dated 31.07.2024.

✓
Director School Education
Himachal Pradesh
September, 2025.

Endst. No. Even, Dated: Shimla-1 the
Copy forwarded for information to:-

1. The Secretary (Education) to the Govt. of H.P. Shimla-2.
2. The Distt. Attorney (Edu.) Directorate of School Education H.P.
3. The Nodal officer, IT Cell (internal) with the request to upload the same on the departmental website.
4. Guard file.

✓
Director of School Education
Himachal Pradesh.