

No. EDN-H(2)B(2)-17/2003(Taking Over)  
Directorate of Elementary Education,  
Himachal Pradesh Lal Pani Shimla-01

Dated Shimla-171001 the March, 2024

**In the matter of CWPOA No. 4320/2019 titled as Angrej Singh, TGT (Arts) & Ors Vs State of Himachal Pradesh & Ors decided on 22.12.2023.**

**ORDER**

Whereas Sh. Angrej Singh, TGT (Arts) & others has filed CWPOA No. 4320/2019 titled as Angrej Singh & ors Vs State of Himachal Pradesh & others for protection of pay from the date of taking over of their services with all consequential benefits.

Whereas, the Hon'ble High Court of H.P. disposed of the CWPOA No. 4320/2019 titled as Angrej Singh & ors Vs State of Himachal Pradesh & others on 22.12.2023. Operative part of the order/judgment is as under:-

*"Accordingly, in view of aforesaid observations, these petitions are allowed to the extent that petitioners are held entitled to the last pay drawn by them at the time of their services were taken over by the respondents-Department as a measure personal to them as has also been done by the respondents-Department in the case of similarly situated persons in terms of office orders dated 07.09.2012 and 21.07.2012. In other words, this Court holds that the petitioners are entitled for same parity with regard to the fixation of the salary as has been done by the Department in the case of incumbents referred to in office orders dated 07.09.2012 and 21.07.2012 (Annexure P-5 Colly in CWPOA No.4320 of 2019). The fixation of pay as well as benefits of revision thereof shall be given to the petitioners from the date, their services were taken over. Let, needful be done within a period of 90 days from today. In case, the needful is not done within a period of 90 days, then the Department shall be liable to pay interest upon the arrears @ 6% simple interest from the date of judgment till the date of the release of actual emoluments. Pending miscellaneous applications also stand disposed of."*

Whereas, after thorough examination of the case of the petitioners it is revealed that Sh. Angrej Singh, TGT (Arts), Sh. Rahul Kumar, TGT (NM), Smt. Sneha Lata, TGT (Arts) & Sh. Sat Pal Kalia, TGT (NM) were appointed against the post of TGT in F.D. Sr. Sec. School Mundmiyani, Distt. Kangra which was privately managed 95% aided School and with the prior approval of the Govt. conveyed vide letter No. Shiksha-II-

Chha(10)2/2003-II dated 09-09-2005, the services of the petitioners were taken over by the Department on regular basis vide this Directorate office order of even number dated 10.08.2006 in the minimum pay scale of TGT.

Whereas, feeling aggrieved the petitioners filed present petition to protect their last pay drawn in privately managed 95% aided F.D. Sr. Sec. School Mundmiyani, Distt. Kangra at the time of taking over their services. In a similar matter, the pay of the teachers appointed against the posts of C&V cadre in other privately managed 95% aided schools has been protected by this Department in compliance to the orders of the Hon'ble Court of H.P. passed in CWPOA No. 690 of 2019 a/w CWPOA Nos. 1407 & 3373 of 2019 on dated 11.03.2022.

In view of above facts and circumstances and in compliance to the orders of the Hon'ble Court, the pay of the petitioners of present petition appointed against the post of TGT is hereby protected and their pay may be fixed as the last pay drawn before taking over their services from F.D. Sr. Sec. School Mundmiyani, District Kangra to Elementary Education. Therefore, the representation is decided and disposed off accordingly.

The concerned Principal/Headmaster/Incharge of GSSS/GHS/GMS of H.P. is further directed that consequential benefits regarding monetary benefits qua the petitioners shall be released as per the instructions issued by the Finance Department H.P. vide letter No. Fin-E-I-C(17)-6/08 dated 07.01.2012 and No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022.

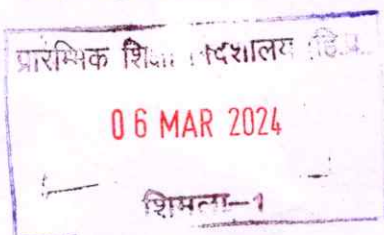
Endst. No: As Even Dated: Shimla the **DIRECTOR**  
March, 2024

Copy forwarded for information and further necessary action to :-

1. The Secretary (Education) to the Govt. of H.P. for kind information.
2. The District Attorney (Education) w.r.t. CWP ibid.
3. All the Deputy Director of Elementary Education concerned.
4. All the Principal/Headmaster of the school concerned.
5. Sh. Angrej Singh, (Retd. TGT) S/o Sh. Rai Singh, Vill. Pacca Talla, P.O. Kandwal, Teh. Nurpur, Distt. Kangra, HP.
6. Sh. Rahul Kumar, TGT (NM) S/o Sh. Satyas Bhushan, VPO Bhadwar, Teh. Nurpur, Distt. Kangra, HP.
7. Smt. Sneh Lata, (Retd. TGT (Arts), D/o Sh. Bishan Dass R/o Teacher Colony Luxmi Palace Road, VPO Indora, Distt. Kangra, HP.
8. Sh. Sat Pal Kalia, TGT (NM) S/o Sh. Babu Ram, VPO Mohtli, Teh. Indora, Distt. Kangra, HP.
9. The Dealing Assistant (Internal), Dte. of Elem. Edu. HP Shimla-1.
10. Guard file.

11. IT. Cell.

**DIRECTOR**



No. EDN-H(2)B(2)-17/2003(Taking Over)  
Directorate of Elementary Education,  
Himachal Pradesh Lal Pani Shimla-01

Dated Shimla-171001 the March, 2024

**In the matter of CWPOA No. 527/2020 titled as Susheel Kumari W/o Late Sh. Medani Kumar, TGT (Arts) & Ors Vs State of Himachal Pradesh & Ors decided on 22.12.2023.**

**ORDER**

Whereas the petitioner Smt. Susheel Kumari W/o Late Sh. Medani Kumar, TGT (Arts) and others have filed CWPOA No. 527/2020 titled as Susheel Kumari & ors. Vs State of Himachal Pradesh & others in the Hon'ble High Court of H.P. for protection of pay from the date of taking over of their services with all consequential benefits.

Whereas, the Hon'ble High Court of H.P. disposed of the CWPOA No. 527/2020 titled as Susheel Kumari & ors Vs State of Himachal Pradesh & others on 22.12.2023. Operative part of the order/judgment is as under:-

*"Accordingly, in view of aforesaid observations, these petitions are allowed to the extent that petitioners are held entitled to the last pay drawn by them at the time of their services were taken over by the respondents-Department as a measure personal to them as has also been done by the respondents-Department in the case of similarly situated persons in terms of office orders dated 07.09.2012 and 21.07.2012. In other words, this Court holds that the petitioners are entitled for same parity with regard to the fixation of the salary as has been done by the Department in the case of incumbents referred to in office orders dated 07.09.2012 and 21.07.2012 (Annexure P-5 Colly in CWPOA No.4320 of 2019). The fixation of pay as well as benefits of revision thereof shall be given to the petitioners from the date, their services were taken over. Let, needful be done within a period of 90 days from today. In case, the needful is not done within a period of 90 days, then the Department shall be liable to pay interest upon the arrears @ 6% simple interest from the date of judgment till the date of the release of actual emoluments. Pending miscellaneous applications also stand disposed of."*

Whereas, after thorough examination of the case of the petitioners it is revealed that husband of Smt. Susheel Kumari namely Late Sh. Medani Kumar, TGT (Arts), Smt. Neelam Rani, TGT (Arts), Sh. Anil Kumar, TGT (NM) & Sh. Aryind Dadwal, TGT (NM) were appointed against the post of TGT in DAV Sr. Sec. School Daultapur

Chowk, Distt. Una which was privately managed 95% aided School and with the prior approval of the Govt. conveyed vide letter No. EDN-A-Chha(15)1/2006 dated 04.01.2007, the services of the petitioners were taken over by the Department on regular basis vide this Directorate office order of even number dated 01-09-2007 in the minimum pay scale of TGT.

Whereas, feeling aggrieved, the petitioners filed present petition to protect their last pay drawn in privately managed 95% aided DAV Sr. Sec. School Daulatpur Chowk, District Una at the time of taking over their services. The pay of their counterparts appointed against the posts of C&V cadre has been protected by this Department in compliance to the orders of the Hon'ble Court of H.P. passed in CWPOA No. 690 of 2019 a/w CWPOA Nos. 1407 & 3373 of 2019 on dated 11.03.2022.

In view of above facts and circumstances and in compliance to the orders of the Hon'ble Court of H.P., the last pay drawn by the petitioners in privately managed 95% aided DAV Sr. Sec. School Daulatpur Chowk, Distt. Una at the time of taking over their services as TGT on regular basis is hereby protected with all consequential benefits.

The concerned Principal/Headmaster/Incharge of GSSS/GHS/GMS of H.P. is further directed that consequential benefits regarding monetary benefits qua the petitioners shall be released as per the instructions issued by the Finance Department H.P. vide letter No. Fin-E-I-C(17)-6/08 dated 07.01.2012 and No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022.

**DIRECTOR**  
March, 2024

Endst. No: As Even Dated: Shimla the  
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2. The District Attorney (Education) w.r.t. CWP ibid.
3. All the Deputy Directors of Elementary Education concerned.
4. All the Principal/Headmaster of the school concerned.
5. Smt. Susheel Kumari W/o Late Sh. Medani Kumar, TGT (Arts) R/o Vill. & PO Chalet, Teh. Ghaneri, Distt. Una, HP. **(Regd.)**
6. Smt. Neelam Rani, TGT (Arts), presently working as Lecturer (English) at GSSS Saloh Beri, Distt. Una, HP.
7. Sh. Anil Kumar, TGT (Arts), presently working as Lecturer (History) at GSSS Jadla, Distt. Una, HP.
8. Sh. Arvind Dadwal, TGT (Arts), presently working as Lecturer (English) at GSSS Chalet, Distt. Una, HP.
9. The Dealing Assistant, Fixation Seat (Internal), Dte. of Elem. Edu. HP Shimla-1.
10. Guard file.

11. IT Cell,

**DIRECTOR**

