

**No:EDN-H(2)B(2)7038/2024-CC**  
**Directorate of Elementary Education,**  
**Himachal Pradesh Lalpani Shimla-01**

Dated Shimla-171001 the Nov. 2024

**In the matter of CWP No. 7038/2024 Nirmal Singh Vs State of HP & Ors. Decided on 29.08.2024.**

**ORDER**

Whereas, the petitioner Nirmal Singh has filed CWP No. 7038/2024 titled as Nirmal Singh (TGT) Vs State of HP & Ors. In the Hon'ble High Court of H.P and Hon'ble court has disposed of the case with following orders:-

*“2. Faced with the aforesaid, learned Additional Advocate General submits that the representation so made shall be decided within a period of four weeks from today. While deciding the representation so made by the petitioner, law laid down in CWPOA No. 1077 of 2019 titled Nitin Kumar vs. State of H.P. and another shall be kept in view.*

*3. In view thereof, the present petition is disposed of, so also, pending miscellaneous application, if any.”*

In this regard, it is submitted that after perusal of the record it is found that the petitioner in CWP No. 7038/2024 titled as Nirmal Singh vs State of HP & Ors is initially appointed as TGT(Med) on contract basis under physically handicapped quota vide this Directorate office order dated 25.11.2010.

Whereas, the judgment passed in CWPOA No. 1077 of 2019 titled as Nitin Kumar Vs State of HP & anr pertain to the Department of Women & Child Development H.P and same has been implemented by the Department of Women & Child Development H.P vide office order No. WCD-AC(1)-12/2012-Estt.(Court) dated 04.04.2023 (copy enclosed). The Judgment passed in CWP No. 4299 of 2019 titled as Pushpa Devi & others Vs State of H.P & others has also been implemented by H.P University Shimla vide office order No. 6-2/2019-HPU (Estt.)- dated 06.10.2022 by regularizing the services of the petitioners (who were appointed on contract basis under physically handicapped quota) w.e.f. the date(s) of their initial joining on contract basis with all consequential benefits including counting the period for the purpose of seniority etc.

Whereas, similar matter of CWP No. 3957/2023 titled as Vinod Kumar Rana Vs State of H.P was taken up with the Government vide letter No. EDN-H(2)B(2)3957/2023-TGTs- Vinod Kumar Rana dated 01.01.2024 & 22.03.2024 and the Government vide letter No. EDUC-E05/21/2023 dated 24.05.2024 conveyed the approval to implement the judgment dated 02.08.2023 subject to final outcome of the

further legal remedy, in any, being exercise by the State. Accordingly the Department implement the judgment of the Hon'ble High Court of H.P vide office order No. EDN-H(2)B(2)3957/2023 -CC dated 25.05.2024.

In view of above facts and circumstance and further approval conveyed by the Government vide letter No. EDUC-F05/21/2023 dated, 04.11.2024, the petitioner Nirmal Singh son of Sh. Ramesh Chand Rana resident of Village Doli Kalan Post Office Chadhiar Tehsil Baijanth district Kangra HP aged about 43 years old, TGT (medical) posted at GHS Kuned under complex GSSS Lylh district Chamba H.P. is hereby considered deemed regular employee of the State with all consequential benefits w.e.f. the date of initial appointment/joining on contract basis, subject to final outcome of legal remedy, if any, exercised by the State.

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-(PR)B(7)-1/2021-Loose dated 17.09. and No. Fin-E-I-C(17)-6/08 dated 31.07.2024 2022 and entry in this regard may also be made in the service book of the petitioner. May inform the parties accordingly.

Director Elementary Education,  
Himachal Pradesh, Lalpani, Shimla-1  
November,2024

EndsNo:Even Dated:-

Copy Forwarded for information and n/a to:-

1. The Secretary (Education) to the Govt. of H.P. w.r.t. letter No. EDUC-F05/21/2023 dated, 04.11.2024
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.t. CWP 7038/2024.
3. The concerned Dy. Director of Elementary Education.
4. The concerned Principal/Headmaster, GSSS/GHS/GMS of H.P.
5. The concerned individual.
6. The Nodal Officer, IT Cell, Dte. Of Ele. Edu. H.P. to upload the same on Departmental website.
7. Guard File.



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

No:EDN-H(2)B(2)8848/2024-CC

Directorate of Elementary Education,  
Himachal Pradesh Lalpani Shimla-01.

Dated Shimla-171001 the Nov. 2024

In the matter of CWP No. 8848/2024 titled as Santosh Kumar (TGT Arts) Vs State of HP & Ors. Decided on 29.08.2024.

**ORDER**

Whereas, the petitioner Santosh Kumar has filed CWP No. 8848/2024 titled as Santosh Kumar (TGT Arts) Vs State of HP & Ors. In the Hon'ble High Court of H.P and Hon'ble court has disposed of the case with following orders:-

*“3. Learned counsel for the petitioner submits that in terms of law laid down by this Court in CWPOA No.1077 of 2019, titled Nitin Kumar Vs. State of HP & Anr., decided on 22.08.2022., the petitioner was entitled to have been appointed on a regular basis.*

*4. Other than the aforesaid, insofar as the respondent Department is concerned, similar benefits according to the petitioner have been extended to other similar situate individuals, in terms of judgment passed in CWP No.5090 of 2022, titled Umesh Jaswal Vs. State of HP a/w connected matters, decided on 19.12.2022. Learned counsel for the petitioner further submits that the aforesaid judgment dated 19.12.2022 stands implemented vide order dated 08.09.2023 (Annexure P-8).*

*5. Learned counsel for the petitioner further submits that w.r.t. the grievances being raised in the present petition, representation dated 16.06.2024 stands made to the concerned authorities. The same is appended with the present petition as Annexure P-9.*

*6. Learned Addl. Advocate General submits that the representation so made by the petitioner, shall be decided within a period of four weeks from today.*

7. *In view thereof, present petition is disposed of, so also the pending application(s), if any.*"

In this regard, it is submitted that after perusal of the record it is found that the petitioner in CWP No. 8848/2024 titled as Santosh Kumar vs State of HP & Ors is initially appointed on contract basis under physically handicapped quota vide this Directorate office order dated 11.08.2011.

Whereas, the judgment passed in CWPOA No. 1077 of 2019 titled as Nitin Kumar Vs State of HP & anr pertain to the Department of Women & Child Development H.P and same has been implemented by the Department of Women & Child Development H.P vide office order No. WCD-AC(1)-12/2012-Estt.(Court) dated 04.04.2023 (copy enclosed). The Judgment passed in CWP No. 4299 of 2019 titled as Pushpa Devi & others Vs State of H.P & others has also been implemented by H.P University Shimla vide office order No. 6-2/2019-HPU (Estt.)- dated 06.10.2022 by regularizing the services of the petitioners (who were appointed on contract basis under physically handicapped quota) w.e.f. the date(s) of their initial joining on contract basis with all consequential benefits including counting the period for the purpose of seniority etc.

Whereas, similar matter of CWP No. 3957/2023 titled as Vinod Kumar Rana Vs State of H.P was taken up with the Government vide letter No. EDN-H(2)B(2)3957/2023-TGTs- Vinod Kumar Rana dated 01.01.2024 & 22.03.2024 and the Government vide letter No. EDUC-E05/21/2023 dated 24.05.2024 conveyed the approval to implement the judgment dated 02.08.2023 subject to final outcome of the further legal remedy, in any, being exercise by the State. Accordingly the Department implement the judgment of the Hon'ble High Court of H.P vide office order No. EDN-H(2)B(2)3957/2023 -CC dated 25.05.2024.

In view of above facts and circumstance, and further approval conveyed by the Government vide letter No EDUC-F05/21/2023 dated, 04.11.2024, the petitioner Santosh Kumar Son of Late Sh. Ghanshyam, Village- Thamera, P.O.- Surajpur Bari, Tehsil- Sarkaghat, Distt. Mandi H.P. Presently posted as a TGT (Arts) in Govt. High School Pingla, P.O. Pingla, Tehsil- Sarkaghat, Distt. Mandi, H.P. is hereby considered deemed regular employee of the State with all consequential benefits w.e.f. the date of initial appointment/joining on contract basis, subject to final outcome of legal remedy. If any, exercised by the State.

The concerned Principal/Headmaster/Incharge of GSSS/GHS/ 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 31.07.2024 and No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022 and entry in this regard may also be made in the service book of the petitioner. May inform the parties accordingly.

Director Elementary Education,  
Himachal Pradesh, Lalpani, Shimla-1  
November,2024

EndsNo:Even Dated:-

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1. The Secretary (Education) to the Govt. of H.P. w.r.t. letter No. EDUC-F05/21/2023 dated, 04.11.2024
2. The District Attorney, Directorate of Elementary Education, H.P. Shimla-01 w.r.t. CWP 8848/2024.
3. The concerned Dy. Director of Elementary Education.
4. The concerned Principal/Headmaster, GSSS/GHS/GMS of H.P.
5. The concerned individual.
6. The Nodal Officer, IT Cell, Dte. Of Ele. Edu. H.P. to upload the same on Departmental website.
7. Guard File.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

05 NOV 2024

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