

No:EDN-H(2)B(2)8310/2023--CC

Directorate of Elementary Education,
Himachal Pradesh Lal Pani Shimla-01.

Dated Shimla-171001 the November, 2024

In the matter of CWP No. 8310/2023 titled as Anil Kumar & Ors. Vs State of HP & Ors. decided on 13.09.2024.

ORDER

Whereas, the petitioners filed CWP No. 8310/2023 titled as Anil Kumar & Ors 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:-

"8. In view of the above discussion, once the State Authorities-Respondents agree, in principle, that the petitioners are entitled to be considered for extending benefits on same analogy as in the judgement, ic case of Umesh Jaswal (supra): therefore, this Court, disposes of the instant writ petition, by directing the respondents to extend the same benefits to the petitioners herein, as have been extended to the petitioner(s) in CWP No. 5090 of 2022, titled Umesh Jaswal Vs. State of Himachal Pradesh & Ors and in CWP No. 397 of 2023, titled Vinod Kumar Rana Vs. State of Himachal Pradesh withn four weeks from today.

9. Needless to say that, upon consideration and approval, the petitioners shall be entitled to all admissible consequential benefits within the same period.

10. List for compliance on 25.10.2024.

In aforesaid terms, the writ petition as well as the pending miscellaneous application(s), if any, shall also stand disposed of, accordingly."

After perusal of the record, it is found that the petitioners in CWP No. 8310/2023 titled as Anil Kumar & others Vs State of HP & Ors were initially appointed on contract basis under physically handicapped quota.

Whereas, the judgment passed in CWPOA No. 1077 of 2019 titled as Nitin Kumar Vs State of H.P. & 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 stated here in above and further approval conveyed by the Govt. vide letter NO. **EDN-C-E(5)/5/2016-V-EDU-C** dated 29.10.2024, the following petitioners are hereby considered deemed regular employee of the State with all consequential benefits w.e.f. the date of initial appointment/joining on contract basis as TGT (Arts/NM/Med), subject to final outcome of any legal remedy. If any, exercised by the State. The details of petitioners is as under :-

Sr. No.	CWP NO.(8310/2023) Name and Address of the petitioners	Date of Appointment
1.	Anil Kumar s/o Tilak Raj r/o Village Bhagal, PO Bharwar, Tehsil Jawali, Distt. Kangra HP presently working as TGT (Arts) in GSSS Banoli, Distt. Kangra HP, Age 49 years.	25.11.2010
2.	Renu Rajput w/o Sh. Rajesh Singh r/o Ward No. 4, VPO Makroli, Tehsil Indora, Distt. Kangra HP presently working as Lect. Hindi in GSSS Bharmar, Distt. Kangra HP, Age 54 years.	25.11.2010
3.	Sajiwan Kumari w/o Sh. Vinod Kumar Bhadwal, r/o VPO Rehan, Teshil Nurpur Distt. Kangra HP presently working as Lect. Hindi in GSSS Harnota Distt. Kangra HP, Age 54 years.	25.11.2010
4.	Susheel Dhiman s/o Sh. Joginder Singh Dhiman r/o VPO Harsar, Teshil Jawali, Distt. Kangra HP presently working as Lect. Biology in GSSS Bahadpur, Distt. Kangra HP Age 46 years.	25.11.2010
5.	Shivani Thakur d/o Bhupender Singh Thakur r/o Ward No. 1. H No.26, Heera Nagar, Hamirpur HP presently working as Lect. Pol. Science in GSSS Khalet, Distt. Kangra HP, Age 39 years.	25.11.2010

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 of 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 petitioners. May inform the parties accordingly.

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

EndstNo:Even Dated:-

Copy forwarded for information and n/a to:-

1. The Secretary (Edu.) to the Govt. of H.P. w.r.t. letter No. **EDN-C-E(5)/5/2016-V-EDU-C** dated 29.10.2024.
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.to CWP 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. Individual concerned.
7. Guard file.

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

