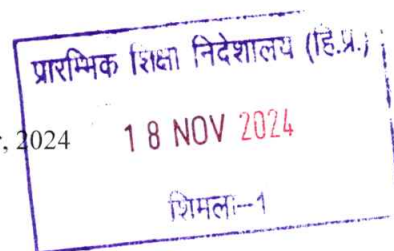


No:EDN-H(2)B(2)2004/2017-CC
Directorate of Elementary Education
Himachal Pradesh Lal Pani Shimla-01

Dated Shimla-171001 the November, 2024



OFFICE ORDER

Whereas, various judgments have been passed by the Hon'ble High Court of HP in numerous CWPs to consider and decide the representations made by the petitioners. After careful consideration of the representations the petitioners are seeking benefits in light of the judgement passed by the Hon'ble High Court of HP in CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors dated 03.08.2023.

Whereas, The operative part of the judgment passed by the Hon'ble High Court of H.P. in CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors dated 03.08.2023 is reproduced as under:-

“Therefore, as the foundation of the order passed by the learned Tribunal, subject matter of these writ petitions, was the judgment of this Court in Narender Singh Naik's case (supra), which judgment itself was based on the Five Judge Bench judgment of the Hon'ble Supreme Court in Direct Recruit's case (supra), and as the learned Tribunal rightly held that the services rendered by the original applicants on contract basis were liable to be counted for the purpose of seniority and consequential benefits after their regularization, as the initial appointment of the original applicants on contract basis was after following the procedure prescribed in the Recruitment & Promotion Rules, we do not find any infirmity in the said findings and further as we do not find any merit in the writ petitions, the same are dismissed by upholding the order passed by the learned Tribunal. No order as to costs. Pending miscellaneous applications, if any, stand disposed of.”

The said judgment was assailed by the State Government by way of filing SLP (C) No. 25641-42/2023 before Hon'ble Supreme Court of India. However, the SLP was dismissed by the Hon'ble Apex Court on 04.10.2023. Also the Food & Civil Supply Department thereafter filed review petition before the Hon'ble High Court of HP which was also dismissed by Hon'ble High Court.

And whereas, after perusal of record it is found that the petitioners in the present petitions were initially appointed as TGTs from year 2012 to 2021 on contract basis through Direct Recruitment as per procedure prescribed in Recruitment & Promotion Rules (i.e. through commission, Batchwise, Sports cell, EXM cell & PHH quota). Consequently, their services were regularized as per the Govt. instructions issued from time to time. The period during which petitioners worked on contract basis was not counted for the purpose of seniority and promotions. Hence, the case of the petitioners in the present petitions are similar to CWP No. 2004/2017 titled as Taj Mohammad Vs State of H.P. & Ors decided on 03.08.2023. It is pertinent to mention here that the case of Taj Mohammad has been implemented by the concerned Department.

In view of the facts stated here-in-above and further approval conveyed by the Govt. of HP vide letter No. **EDUC-E05/30/2024-EDU-C** dated 01.11.2024, the contract services rendered by the following TGTs (petitioners) followed by regularization is hereby counted for the purpose of seniority subject to final outcome of any legal remedy, if any, exercised by the State. However, no consequential/monetary benefits will be given to the

petitioners as the matter regarding consequential benefits is under consideration with State Government. The details of petitioners is as under :-

Sr. No.	Name & Address	Subject	Date of Appointment on contract	CWP No.
1.	Ex. Hav Kamleshwer Singh s/o Late Sh. Gian Singh, VPO Chakloo Teh. & Distt Chamba HP 176310	Arts	01.05.2019	2847/2024
2.	Ex. L/ NK Jarnail Singh s/o Sh. Sant Saran Vill Teora PO Basantpur Teh. Indora Distt. Kangra HP 176403	Arts	01.05.2019	2847/2024
3.	Ex. Sgt Anoop Singh s/o Sh. Swaroop Singh, VPO Jangoli Teh. Fatehpur Distt Kangra HP 176025	Arts	01.05.2019	2847/2024
4.	EX PO Manoj Kumar s/o Sh. Jai Kumar Vill Surian PO Saru Teh. & Distt. Chamba HP 176314	Arts	01.05.2019	2847/2024
5.	Ex. Nk Sanjeev Kumar S/o Sh Baldev Singh, VPO Loharda, Tehsil Barsar, Distt. Hamirpur, H.P. 174304	Arts	14.06.2018	2847/2024
6.	Ex NK Suresh Kumar Agnihotri s/o Sh Barfi Ram Vill Nandol PO Bahina Tehsil Barsar Distt. Hamirpur (HP) 174309	Arts	14.06.2018	2847/2024
7.	Ex. NK Manohar Lal S/o Sh Churamani, VPO Nagnoli, Tehsil & Distt. Una, H.P. 177208	Arts	14.06.2018	2847/2024
8.	Ex- NK Rajesh Kumar S/o Sh. Pritam Chand Vill Dhundiara Bawgla PO Nainikhad Tehsil Bhattiyat Distt. Chamba HP -176301	Arts	23.03.2020	2846/2024
9.	Ex Hav Thakur Singh S/o Sh Gandhi Ram VPO. Goli, Teh. Dalhousie, Distt. Chamba (HP) Pin-176306	Arts	30.06.2021	2846/2024
10.	Ex. Hav Shakeel Mohamd s/o Sh. Gulam Rasul Vill Hattli PO Tunuhatiti Tehsil Bhattiyat distt. Chamba HP 176301	Arts	18.09.2020	2846/2024
11.	Ex Hav Raj Kumar S/o Sh. Devi Ram Vill. Jajar, PO. Churadn, Teh. Sunder Nagar, Distt. Mandi (HP) 175018	Arts	30.06.2021	7056/2024
12.	Pankaj Sethi S/o Sh. Om Prakash Near Govt College Amb Saloi Road Amb V .P.O Amb Teh. Amb Heera Nagar Una H.P. 177203	NM	05.03.2019	6655/2024
13.	Naveen Soni S/o Sh. Gurdass Soni Tehsil Barsar Maslana Kalan (12/5) Hamirpur H.P. 174305	NM	05.03.2019	6655/2024
14.	Suman Devi D/O Sh. Ishwar dass Near Govt Collage Saloi Road Amb Heera Nagar Amb Una H.P. 177203	Med	01.05.2019	6655/2024
15.	Ajaya Kumar S/o. Sh. Amin Chand, Vill. Kharoh, P.o. Sarhakar, Tehsil Distt. Hamirpur (H.P.)	Arts	03.11.2016	6655/2024

16.	Ex. Nb sub Vineet Kumar s/o Sh. Amin Chand Chauhan Vill Bharwana PO Kot Distt. Hamirpur HP. 177027	Arts	18.09.2020	6655/2024
17.	Ex. Sub Sukhvinder Singh S/o Sh. Rattan Singh VPO Panoh Tehsil & Distt. Una HP 174303	Arts	18.09.2020	6655/2024
18.	Ex-Hav Tarun Kumar S/o Sh Jogider Singh, VPO Bhaderkali, Tehsil Amb, Distt. Una, H.P. 177204	Arts	19.09.2012	2018/2024
19.	Ex NK Manoj Kumar S/o Sh Ram Dass, Village Ganoh, PO Bani, Tehsil Barsar, Distt Hamirpur, H.P 174304	Arts	19.09.2012	2018/2024
20.	Anjana Kuamri D/o Sh. Prakash Chand, VPO Panjhara, Teh. Nurpur, Distt. KGR	Arts	07.09.2012	2018/2024
21.	Hardeep Kumar S/o Baldev Chand VPO Nangran Tehsil & Distt. Una HP	NM	29.9.2017	2015/2024
22.	Rakesh Dhiman S/o Sh. Khiali Ram Dhiman Vill. Bdehra PO Sohari Teh. Bangana Distt. Una	NM	03.11.2016	2015/2024

The concerned Principal / Headmaster / Incharge of GSSS/GHS/GMS of H.P. is further directed that the entry in this regard may also be made in the service book of the petitioners. May inform the parties accordingly.

sd

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

EndstNo:Even Dated:- Shimla-the
Copy forwarded for information and n/a to:-

1. The Secretary (Edu.) to the Govt. of H.P. w.r.t. letter No. **EDUC-E05/30/2024-EDU-C** dated 26.10.2024 & 01.11.2024.
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.to CWPs 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. The Dealing Assistant, Seniority Seat (Internal), Dte. of Elem. Edu. With the direction to prepare the seniority of TGTs accordingly.
7. Individual concerned.
8. Guard file.

M

Director Elementary Education
Himachal Pradesh, Lalpani, Shimla-1

