

**ORDER**

Whereas, CWP No. 7765/2022 titled as Rajesh Tegta & ors Vs State of H.P. & Ors, CWP No. 7154/2022 titled as Kuldeep Singh & ors Vs State of H.P. & ors, CWP No. 6872/2023 titled as Manoj Kumar & ors Vs State of H.P. & ors, CWP No. 7663/2022 titled as Tek Chand & ors Vs State of H.P. ors, CWP No. 7203/2022 titled as Ramesh Kumar & Ors Vs State of H.P. & Ors, CWP No. 8523/2023 titled as Virender Kumar & ors Vs State of H.P. & Ors, CWP No. ....../2023 titled as Surender Singh & ors Vs State of H.P. & ors, CWP No. 8394/2022-Basant Ram & ors Vs State of H.P. & ors and CWP No. 10417/2023 titled as Sunita Thakur & ors Vs State of H.P. & Ors were filed by the petitioners in the Hon'ble High Court of H.P. for similar relief as is given in CWP No. 342/2021 titled as Yashwant Singh & others Vs State of H.P. & others and in these writ petitions the Hon'ble High Court of H.P. has ordered to consider and decide the cases of the petitioner in the light of judgment passed in Yashwant Singh's case whereas CWP No. ....../2023 titled as Surender Singh & ors Vs State o H.P. has also been filed by the petitioners for similar relief as is given in the Yashwant Singh's case.

Whereas CWP No. 342/2021 titled as Yashwant Singh & others Vs State of H.P. & others alongwith other similar connected CWPs was listed before the Hon'ble High Court of H.P. on dated 31.08.2022 whenafter hearing the matter the Hon'ble High Court of H.P. has passed the following orders:-

**In view of above discussion, the petitions are allowed. Respondents are directed to regularize the petitioners w.e.f. the due date i.e. 01.04.2018 Needless to say that he consequential benefits shall also follow. The petitions are accordingly disposed of so also the miscellaneous pending application(s), if any."**

Whereas, after thorough examination of the cases it is found that the petitioners were initially engaged as TGT (Arts/NM/Medical) as per the PTA (GIA) Policy, 2006 during the year 2006, 2007 and 2008. Thereafter, the Government of H.P. took a concise decision to take over the services of PTA GIA provided teachers on contract basis vide notification dated 16.08.2013, However, the decision of Government to convert PTA GIA teachers on contract basis was challenged by Sh. Pankaj Kumar by way of filing CWP No.6916 of 2011-H in the Hon'ble High Court of H.P. which was decided on 09.12.2014 in favour of PTA-GIA contract teachers and accordingly, the services of PTA GIA provided TGTs were taken over on contract basis in the year of January, 2015. In the meantime, the decision of Hon'ble High Court of H.P. dated 09.12.2014 was further agitated by Sh. Pankaj Kumar before the Hon'ble Apex Court of India by

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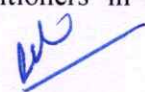


way of filing SLP No. 1426/2015 & connected matters and Hon'ble Apex Court ordered on dated 22.01.2015 that "Status quo be maintained till further orders to the contrary". Similarly, the orders dated 09.12.2014 in CWP No. 7728/2013 were also challenged by Kushal Kumari and another wherein the Hon'ble Supreme Court had passed interim order on 09.03.2015 that status quo be maintained till orders to the contrary. The SLP No.s 6644/2015, 6090/2015 and 7709/2015 were converted into Civil Appeals bearing CA No. 2813/2017, 2814/2017 and 2815/2017 and same were dismissed by the Hon'ble Supreme Court of India on dated 17.04.2020.

Whereas, after dismissal of SLPs, the Government conveyed the approval to regularize the services of PTA GIA provided teachers taken over on contract basis as well as left out PTA GIA teacher whose services could not be taken over on contract basis due to various reasons with immediate effect vide letter No. EDN-A-Kha(7)06/2012-Loose-I dated 05.08.2020. After the Govt. approval, the Bio-Data of PTA-GIA contract teachers as well as left out PTA GIA Teachers was collected and after observing all codal formalities regularization orders were issued vide office order No. EDN-H(2)B(2)-36/2020-PTA regularisation dated 29.08.2020 & subject to final outcome of the CWP No. 2850/2020. The services of the PTA GIA provided teachers whose services were taken over on contract basis by the Department in the year of 2015 could not be regularized after completion of three years continuous services on contract basis in the year of 2018 as the appointment of PTA GIA provided teachers were still pending adjudication in Hon'ble Apex Court whereas the services of those teachers who were appointed on contract basis as TGTs in the year of 2015 through direct recruitment and completed 03 years of continuous services on contract basis as on 31.03.2018 were regularized vide office order No. EDN-H(2)B(2)-34/2017-Regularisation (Contract) dated 14.06.2018.

Whereas, feeling aggrieved, the PTA GIA teachers filed various petitions in the Hon'ble High Court to regularize their services w.e.f. 01.04.2018 at par with the teachers who were appointed in the department through direct recruitment and completed 3 years contractual service as on 31.03.2018 and the Hon'ble High Court has allowed the same vide its judgment dated 31.08.2022 passed in CWP No. 342/2021 (and clubbed matters).

Whereas, the matter was taken up with the government and the Government vide letter No. EDUA-E005/4/2023-EDU-A dated 02.09.2023 & 04.12.2023 has conveyed the approval to regularize the services of the petitioners in CWP No. 342/201 and clubbed petitions (in this CWP and in Execution petition No. 86/2023) as well as other similarly situated petitioners in other CWPs w.e.f.





01.04.2018. Accordingly, the Department has regularized the services of the petitioners (TGTs) in CWP No. 342/2021 and clubbed petitions and other similarly situated petitioners vide office order No.EDN-H(2)B(2)342/2021---CC-PTA dated 08.12.2023.

In view of above facts and circumstances , the cases of the petitioners are similarly situated to Yashwant Singh's case, therefore, in compliance to the order of the Hon'ble High Court of H.P. passed in CWP No. 342/2021 dated 31.08.2022 and further approval conveyed by the Govt. vide letter dated 02-09-2023 & 04.12.2023, the petitioners (TGTs) whose services were regularized vide office order No. EDN-H(2)B(2)-36/2020-PTA regularisation dated 29.08.2020 & 01.09.2020 are hereby considered deemed regularized w.e.f. 01.04.2018 with all consequential benefits:-

Sr. No.	Name and address of the petitioner (Sh./Smt./Miss/Kumari)	CWP No./CWPOA No.Ex. Pet. No.
1	Anil Kumar S/O Sh. Nand Lal aged 43 years, resident of village Prol, PO Nagan, Tehsil Kotkhai, District Shimla (HP) presently posted as TGT- Arts) in SCERT HP Solan District Solan (HP).	CWP No. 7765/2023
2	Devender Kumar S/O Sh. Luder Singh aged 46 years, resident of village Thatta, PO Ghaniar, Tehsil Balichowki, District Mandi (HP) presently posted as (TGT- Medical) in GSSS Ghaniar, Tehsil Balichowki, District Mandi (HP).	CWP No. 7765/2023
3	Kishor Kalia S/O Sh. Rama Nand, aged 44 Years, Resident of Village Bajhog, PO Sarog, Tehsil Theog, District Shimla (HP), Presently posted as TGT- Arts in Government High School Chairh, Tehsil Theog, District Shimla (HP)	CWP No. 7765/2023
4	Rama Devi W/O Sh. Gopal Sharma, Aged 55 years, resident of village Bharari, PO Chambhi, Tehsil Sunder Nagar, Distt. Mandi (HP) presently posted as TGT- Arts in GBSSS, Sunder Nagar, Tehsil Sunder Nagar, District Mandi (HP).	CWP No. 7765/2023
5	Shama Katoch D/O Late. Sh. Karore Chand Katoch, aged 47 Years, Resident of Village and PO Randhara, Tehsil Sadar, District Mandi (HP), Presently posted as TGT-Arts in GHS, Tandi, Tehsil Sadar, District Mandi (HP)	CWP No. 7765/2023
6	Gopi Chand S/O Sh. Hari Singh, aged years, resident of village and Post Office Bhaloo, Tehsil Kupvi, District Shimla (HP) presently posted as TGT (Arts) in Government Senior Secondary School Bhaloo, District Shimla (HP)	CWP No. 7154/2022
7	Ramesh Chand S/O Sh. Chet Ram, aged 42 years, resident of village Dhar, Post Office Dharchandna, Tehsil Kupvi, District Shimla (HP) presently posted as TGT (Arts) in GMS Gaonkhar u/c GSSS, Dharchandna, Distt. Shimla (HP)	CWP No. 7154/2022
8	Savita Panwar W/o Yashwant Bhagta, aged 43 years, resident of village Dharchhdi, Post Office Malat, Tehsil Kupvi, District Shimla (HP) presently posted as TGT (Arts) in GSSS, Mehli District Shimla (HP)	CWP No. 7154/2022
9	<b>Manoj Kumar</b> aged about 41 years son of Late Shri Om Chand resident of Village Lassi PO Chhatri, Tehsil Thunag, Distt. Mandi, H.P., Presently working as TGT (Arts) in gms Kakra Dhar U/c GSSS, Mehri Dhar, District Mandi, H.P.	CWP No. 6872/2023
10	Devender Kumar aged about 50 years, Son of Shri Moal Ram resident of Village Choa, PO Nanj, Tehsil Karsog, District Mandi, H.P. Presently working as Trained Graduate Teacher (Arts) in GMS Purana, U/c GSSS, Nanj, Tehsil Karsog, District Mandi, H.P.	CWP No. 6872/2023



11	Manjula Kumari aged about 40 years wife of Shri Nihal Singh resident of Village Dhar, PO Chhatra, Tehsil Thunag, District Mandi, H.P., Presently working as TGT NM in GHS, Purana Bazar Karsog U/c GSSS Karsog, Tehsil Karsog, District Mandi, H.P.	CWP No. 6872/2023
12	Meera Devi aged about 41 years daughter of late Shri Dharam Singh resident of Village Mahawan, PO Seri Banglow, Tehsil Karsog, District Mandi, H.P., Presently working as TGT (Medical) in GSSS, Sainj Bagra, Tehsil Karsog, District Mandi, H.P.	CWP No. 6872/2023
13	Nihal Chand aged about 44 years, son of Shri Atma Ram resident of Village Khamnu, P.O. Gwalpur, Tehsil Karsog, District Mandi, H.P. Presently working as TGT (Arts) in GSSS Gwalpur, Tehsil Karsog, District Mandi, H.P.	CWP No. 6872/2023
14	Gulshan Sharma Son of late Sh. Mani Lal Sharma R/o Village Tutoo, P.O. Delath, Tehsil Nankhari, District Shimla, H.P.	CWP No. 7663/2022
15	Suneel Kumar son of Sh. Nanak Singh R/o Village Magnooh P.O. Kakira tehsil Bhattiyat District Chamba H.P age 43	CWP No. 7663/2022
16	Shailja Sharma Daughter Of Sh. Durga Parsad Sharma R/O Vpo Sukhar, Tehsil Nurpur, District Kangra Himachal Pradesh. Age 42	CWP No. 7663/2022
17	Jitender Kumar S/O Sh. Som Dutt R/O V.P.O. Garnota Tehsil Sihunta Distt Chamba H.P. 176207. Age 43	CWP No. 7663/2022
18	Hans Raj Son Of Sh. Jaisi Ram, R/O Village Cheli, P.O. Rapur, Tehsil Bhatiyat, Disrict Chamba Himachal Pradesh. Age 42	CWP No. 7663/2022
19	Kalpna Devi D/O Sh. Vinod Kumar R/O Village Hatli P.O. Dramman Tehsil Sihunta District Chamba Himachal Pradesh-176206. Age 40	CWP No. 7663/2022
20	Rakesh Kumar Son Of Sh. Kanhaiya Lal, R/O Vill Panjla, P.O. Patka, Tehsil Sihunta District Chamba, Himachal Pradesh Age 39	CWP No. 7663/2022
21	Dev Raj Son Of Sh. Parveen R/O Village Phagot, P.O. Raipur, Tehsil Bhatiyat, Disrict Chamba, HP. Age 44	CWP No. 7663/2022
22	Rajinder Kumar Aged About 52 Years S/O Sh. Vir Singh Vill. Changrara P.O. Bhapoo, Tehsil Indora, District Kangra, H.P. Presently Working As TGT NM In GMSSS Boys Indora, District Kangra H.P.	CWP No. ....../2023
23	Parveen Pathania Aged About 43 Years S/O Sh. Satinder Singh, Vill. Pacca Tiala, P.O. Kandwal Tehsil Nurpur, Distt. Kangra H.P. Presently Working As TGT (NM) In GMS Bardi U/C GSSS Aund Distt. Kangra H.P.	CWP No. ....../2023
24	Umang Sharma Aged About 48 Years D/O Sh. Shanti Swaroop Sharma Vill. & P.O. Chowari Tehsil Bhattiyat Distt. Chamba H.P. Presently Working As TGT (Arts) In GHS Raja-Ka-Bag Tehsil Nurpur Distt. Kangra H.P.	CWP No. ....../2023
25	Ravinder Kumar S/O Sh Bhola Ram, Village Ludhiyana, P.O. Pehad Tehsil Dharampur Distt Mandi H.P. Presently Working As TGT Arts At GMS Shian U/C GSSS Heun Pehad, Distt Mandi H.P. Age About 47 Years.	CWP No. 7203/2022
26	Kamlesh wife of Sh. Raj Kumar R/o Village Chiya Mamiyana, P.O. Kansar, Tehsil Dadahu, District Sirmour, Himachal Pradesh presently working as TGT Arts in GSSS Chhachheti Distt. Sirmour H.P.	CWP No. 7663/2022
27	Anil Kumar S/o Suni Ram VPO Dhar Gaura Tehsil Rampur, Distt Shimla, aged about 49 years presently posted as TGT(Arts)	CWP No. 8523/2023
28	Vijay Kumar S/o Lt Sh Rama Nand, VPO Lippa Tehsil Moorang, Kinnaur, aged about 43 years presently posted as TGT N/M in GSSS Lippa (Kinnaur)	CWP No. 8523/2023



29	Harpreet Kaur w/o Sh. Majhinder Singh, VPO Majari Tehsil Naina Devi Distt. Bilaspur. H.P. age about 49 years, presently working as TGT at GMS Majari District Bilaspur H.P.	CWP 10417/2023	No.
30	Kavita Kumari D/o Sh. Prem Chand R/o Village Punto PO Killar Tehsil Pangi Distt. Chamba. H.P. age about 42 years, presently working as TGT Arts at GMS Punto U/C GSSS Killar District Chamba H.P.	CWP 10417/2023	No.
31	Basant Ram, (Age 45 years) S/O. Sh. Diwa Dutt, R/O. Village Siyarla, P.O. Takleeh, Tehsil Rampur, District Shimla H.P. Presently posted as TGT (Arts) at GMS SeriMajhali.	CWP 8394/2022	No.
32	Devinder Singh S/O. Sh. Diwan Singh R/O. Village Shamkor, PO. Jaghori, Tehsil Rampur, District Shimla H.P. Presently posted as TGT (Non Medical) at GSSS Jhakri.	CWP 8394/2022	No.

The concerned Principal/Headmaster/Incharge of GSSS/GHS/GMS of H.P. is further directed that consequential benefits regarding monetary benefits to the petitioners shall be released as per the Hon'ble Court orders in Ex. Pet. No. 86/2023 dated 13.09.2023 i.e. 40% of arrears payable according to pre-revised scale may be paid by 31.12.2023 and remaining 60% in two equal annual installments may be paid by 31.12.2024 and 31.12.2025 by calculating difference of pay of the petitioners on the basis of pre-revised scale for the period from 01.04.2018 till the earlier date of regularization by the State. It is further directed that arrear on the basis of revision of pay scale shall be paid, as per 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.

ब्राह्मिक शिक्षा निदेशालय (हि.प्र.)

29 DEC 2023

Director Elementary Education,  
Himachal Pradesh.  
December, 2023

EndstNo: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. EDUA-E005/4/2023-EDU-A dated 02.09.2023 & 04.12.2023.
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.t. above referred CWPs.
3. All the Dy. Director of Higher/Elementary Education Himachal Pradesh.
4. The concerned Principal/Headmaster/Incharge of the concerned GSSS/GHS/GMS where petitioner is presently working with the direction to release the arrear as per above instruction. Further, it may also be ensured that the petitioner is a PTA GIA provided teacher. **In case the petitioner is not a PTA GIA provided teacher than such cases may be referred back to this Directorate.**
5. The Dealing Assistant Seniority Seat/Pay Fixation Seat, TGTs.
6. The concerned petitioner.
7. Guard file.

Director Elementary Education,  
Himachal Pradesh.