

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	CWP No.
1.	Sandeep Kumar Chauhan S/o Sh. Abhimanyu Kumar Chauhan Vill. Handeti 102/10, P.O. Purana Bazaar, Tehsil Sundernagar Distt. Mandi (H.P.) 175019	Arts	03.11.2014	6808/2024
2.	Vijay Kumar S/o Sh. Narender Kumar Tehsil Sadar Dhaban (237) Mandi H.P. 175027	NM	05.03.2019	6674/2024
3.	Reenu Devi D/o Sh. Raj Gopal W/O Sunil Kumar Village Kohan P.O SAJAO PIPLU MANDI H.P. 175025	NM	05.03.2019	6674/2024
4.	Ankush Kumar S/o Sh. Suresh Kumar Village Thurd (355) PO Bhaderwar Mandi I H.P. 175049	NM	05.03.2019	6674/2024
5.	Meenakshi Tandon D/o Sh. Vinod Parsad Tandon W/O SH. Rajiv Batra , H.NO. 55/2, SHANTI COLONY, WARD NO. 10, DEVI NAGAR SIRMAUR H.P. 173025	NM	05.03.2019	12037/2024
6.	Rajni Bala w/o Sh. Sanjay Madaan # 18/3, Mehtab Colony, Badri Nagar, Paonta Sahib, Tehsil Paonta District Sirmour (HP)-173025	Arts	02.09.2017	12034/2024
7.	Neelam D/O Sh. Onkar Chand, Tapowan Road Sidhbari, Teh. D/Shala, Distt. Kangra	Arts	07.09.2012	9457/2024
8.	Yashpal Singh S/o Sh Purshottam Chand, Village Sunpur, PO Naura, Tehsil Palampur, Distirt Kangra (HP)-176084	NM	29.09.2017	9450/2024
9.	Rajesh Kumar son of Sh. Anant Ram, resident of House No. 20, Ward No. 2, Post Office Nagrota Bagwan, Tehsil Nagrota Bagwan, District Kangra,	NM	17.08.2012	9178/2024
10.	Anil Kumar S/o Sh. Lala Ram , Vill. Tarot, PO. Kanaid, Tehsil Sunder Nagar, Distt. Mandi (HP)-175137	Arts	01.12.2014	8723/2024
11.	Ex. Sgt Clk Pradeep Kumar s/o Sh. Girdhari Lal Vill- New Nagarkot Colony Thakurdwara Teh. Palampur Distt Kangra HP 176102	Arts	01.05.2019	6894/2024
12.	Ex. Sgt Rajesh Thalwal S/O Sh. Sher Singh VPO Upper Lambagaon Tehsil Jaisinghpur Distt. Kangra (HP) 176096	NM	01.05.2019	6894/2024
13.	Amit Kumar S/O Sh Krishan Singh Vill Patt PO Maharajnagar Tehsil Jaisinghpur Distt kangra (HP) 176096	Med	06.03.2019	9250/2024
14.	Manjali Kumari D/o Sh Harish Chander, VPO & Tehsil Morang (T), Distt. Kinnaur, H.P. 172109	Arts	14.02.2017	7135/2024
15.	Monika D/O Sh Kamal Raj VPO Sangla Teh Sangla DISTT Kinnaur HP 172106	Arts	14.02.2017	7135/2024
16.	Neelma Devi D/ o sh. Piare Lal Ward No. 3 H. No. 39 Pratap Nagar Tehsil & Distt. Hamirpur (HP)	NM	02.08.2017	9720/2024
17.	Reshma Devi W/o Sh Ravinder Kumar Vill Saster, P.O. Daruhi, Teh & Distt Hmr- 177001	Med	20.01.2014	9725/2024
18.	Birbal Kumar S/o Sh. Sukh Lal, Vill. Manwin, PO Lag- Manwin, Teh. Bhoranj, Distt. HMR, HP 177118	Arts	07.09.2012	9728/2024
19.	Sushil Kumar S/o Sh Dhani Ram, Village Garan, PO Gurial, Tehsil Nurpur, District Kangra (HP)-176051	Arts	24.04.2017	7717/2024


20.	Prince Kumar Sharma S/o. Sh. Roshan Lal Sharma, Vill. Rahjol, P.o. Tal, Tehsil Distt. Hamirpur (H.P.)	Arts	03.11.2016	8376/2024
21.	Asha Kumari W/O Sh. Ajay Kumar Vill. Gadola P.O Badhani Teh. Bhoranj Distt. Hamirpur	Arts	18.02.2021	8376/2026
22.	Monika Kumari D/o Sh. Amar Singh C/o Sh. M. L.Dhiman, New Bank Colony near AIM public School Nalti Raoad Distt.HMR	NM	17.08.2012	8376/2024
23.	Suninda D/O Sh. Roshan Lal, W/O Yashpal Singh, Vill. Chillbahal, P.O. Dangri, Teh. Nadaun, Distt. Hamirpur	Arts	07.09.2012	8376/2024
24.	Ex- NK Naveen Kumar S/o Sh. Desh Raj Vill. Kothi, PO. Cholthara, Tehsil Sarkaghat, Distt. Mandi HP-175037	Arts	10.02.2020	6865/2024
25.	Jai Pal S/o Sh. Basant Ram Vill Kot PO Sajaopiplu Teh. S/Ghat, Distt. Mandi, HP	Arts	20.01.2014	9246/2024

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.

  
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 CWP's 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.

  
Director Elementary Education  
Himachal Pradesh, Lalpani, Shimla-1

