No. EDN-H(2)B(12)CWP /TGT's-2026-Pay scale.
Directorate of School Education
Himachal Pradesh, Shimla-171001
Dated Shimla-171001 July, 2026

"Office Order"

CWP No. 5170/2026 Tharvan Lal & ors V/s State of H.P., (Regarding on analogy of Mohit Sharma)

The petitioners has filed the present Civil Writ Petition thereby seeking the relief to grant the benefit of higher pay scale after completion of two years of regular service from the due date, as the petitioner had completed two years of regular service as per judgment passed by the Hon'ble High Court in CWP No. 1638/2024 titled as Mohit Sharma V/s State of H.P. & others alongwith all consequential benefit.

The said case was listed before the Hon'ble High Court on dated 05.05.2026 when the Hon'ble High Court has directed that "Without making any observation on the merit of the case, this writ petition is accordingly disposed of with the direction that the representation made by the petitioners, appended with thwrit petition as Annexure P-6, shall be decided by the competent Authority, in light of the averments made therein within a period of 12 weeks from today, by passing a speaking order, in accordance with law. Pending miscellaneous application(s), if any, also stand disposed of accordingly."

Whereas, as per direction of the Hon'ble High Court, the case of the petitioners have been examined and found that the petitioner was appointed as Vidya Upasak in the year, 2000 and subsequently the services of the petitioner were reguarlised in the year, 2007 as JBT. Thereafter, the Petitioner have been awarded the higher pay scale after completion of two years of regular services in accordance with Government instruction issued vide notification dated 27.09.2012. Further the petitioner was promoted as TGT in the year, 2021.

Whereas, Sh. Mohit Sharma has been appointed as Clerk on contract basis on compassionate grounds in Education Department and he has joined on 08.02.2019. At the time of appointment of Sh. Mohit Sharma, the contract period was 03 years and as per Government directions issued vide letter dated contractual employee were regularized after completion of 03 years of continuous services on contract basis. Subsequently, the services of the petitioner was regularized on 19.01.2022 i.e. after 3.1.2022 when the Government has already been introduced the sixth Pay commsission and issued revised pay structure vide notification dated 03.01.2022. As per the revised pay Rule, 2022, employee appointed on or before 03.01.2022 and regularized after 03.01.2022 were not eligible for Higher Pay Scale after completion of two years regular service. However, the Government vide notification dated 06.09.2022 allowed the Higher Pay Scale to those employee whose services were regularized before 03.01.2022 and Sh. Mohit Sharma was not falling under this notification. Thereafter, Sh. Mohit Sharma filed CWP No. 1638/2024 titled as Mohit Sharma Vs State of H.P. in the Hon'ble Court for Higher Pay Scale in accordance with notification dated 06.09.2022 and in compliance to the Judgment dated 29.11.2024 passed in CWP No. 1638/2024, the benefit of Higher Pay Scale after completion of two years of regular services was granted to the Petitioner Sh. Mohit Sharma.

Whereas petitioner in CWP No. 15630/2024 were appointed on contract basis in the year, 2019 and regularized in the year, 2022 they are similar siuated to Mohit Sharma's case.

Thus, in view of above stated facts, the case of the Petitionerd are entirely different to Mohit Sharma's case as the Petitioner was already allowed Higher Pay Scale as per notification dated 27.09.2012 whereas in Mohit Sharma's case, benefit of Higher Pay Scale was not given to Sh Mohit Sharma as the same was absent in the revised Pay Rules, 2022, however, in compliance to the order of the Hon'ble Court the benefit of Higher Pay Scale was granted to Sh. Mohit Sharma in accordance with notification dated 06.09.2022.

In view of facts stated hereinabove, I am of the considered view that the present petitioners are not similar siuated to Sh. Mohit Sharma's case and cannot claim parity with Mohit Sharma. Therefore, the petitioner are not admissible for benefit under Govt. notification dated 06.09.2022.

The representation of the petitioner(s) is hereby considered and rejected accordingly. The concerned authority is directed to inform the petitioner(s) accordingly.

DIRECTOR

Endst no. even dated Shimla-171001 June 2026.
Copy forwarded for information and further necessary action to:-
1.The Secretary (Education) to the Government of Himachal Pradesh, Shimla.
2. The Deputy Director of School Education Kullu and L&S H.P. with the directions to do the needful and also intimate the petitioner accordingly.
3. **THARVAN LAL AND OTHERS**
Address: S/o Sh and Kurmi aged 50 years R/o Vill and Birni P and O and Chhenour Tehsil Bhunter Distt and Kullu (H and P and) presently working as TGT (Arts) at GHS Narogi and Distt and Kullu.
4.Name: Soni S/o Shamsher Singh aged 49 years
Address: R/o H and No and 68 Raghunathpur and Sultanpur Kullu H and P and and presently working TGT GHS Choparsa Distt Kullu, Himachal Pradesh

5. Name: Arvind Sharma S/o Sh and Chandra Prakash Sharma aged 48 years
Address: R/o Vill and Nangabag and P and O and Bandrol Tehsil and Distt and Kullu H and P and and presently working as TGT GSSS, Shirad Distt. Kullu

6. Name: Parmod Kumar S/o Sh and Prem Chand aged 44 years
Address: R/o Vill and Dhawansha P and O and Shansha Distt and Lahaul and Spiti H and P and presently working as TGT, GSSS, Darcha Distt. L&S.

7. The Supdt. Legal Cell for information please.
8. Incharge IT cell with the request to upload the same on official website.
9. Guard File.

Directorate of School Education
27 JUL 2026
Himachal Pradesh, Shimla-171001

DIRECTOR