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 18482/2025 Ajay Kumar V/s State of H.P. (Regarding on analogy of Mohit Sharma)

The petitioners have 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 cases were listed before the Hon'ble High Court on different when the Hon'ble High Court has directed that the Petitioners are seeking applicability of Mohit Sharma Vs. State of H.P. & Ors.2 3. Admittedly, the petitioners have invoked extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India without even preferring any representation to the competent authority for the redressal of their grievance raised in the writ petition. 4. Confronted with above, learned counsel for the petitioners submitted that the petitioners would be preferring the respective representations within two weeks from today. In case, such representations are so preferred, the competent authority shall consider and decide the same, in accordance with law, within further period of six weeks. The order so passed shall also be communicated to the petitioners. 5. The instant petition is disposed of in above terms. Pending miscellaneous application(s), if any, shall also stand disposed of.

Whereas, as per direction of the Hon'ble High Court, the case of the petitioners has been examined and found that the petitioner was engaged as TGT on PTA basis under PTA policy 2006. The services of the petitioner was taken over on contract basis in the year, 2015 subsequently their services were regularized in the year, 2018. **It is pertinent to mention here that higher pay scale has already been awarded to the petitioner as TGT on completion of two year of regular services as per Govt. notification dated 27.09.2012.**

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.

Thus, in view of above stated facts, the case of the Petitioners are entirely different to Mohit Sharma's case as the Petitioner was already allowed Higher Pay Scale in the Year of 2020 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. 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 July, 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, Mandi,H.P. with the directions to do the needful and also intimate the petitioner accordingly.
3. The Supdt. Legal Cell for information please.
4. The Principal, concerned is hereby directed that if the petitioner's case is not found to be similarly situated, it shall be referred back to this Directorate immediately.
5 Sh. Ajay Kumar, TGT(A), GSSS, Dharampur Distt. Mandi
6. Incharge IT cell with the request to upload the same on official website.
7. Guard file.

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

DIRECTOR