EDN-H (III)B(6)-CWP No.-Sirmour
Directorate of School Education
Himachal Pradesh, Shimla-171001
Dated-Shimla-171001, the, July.2026

To

The Deputy Director of School Education,(Elementary)
Sirmour at Nahan ,District Sirmour (H.P.)

Subject: 1.CWP No.10180/2026 titled as Jia Lal(PET) VS State of H.P & others
2. CWP 102905/2026 titled as Kamal Kumar,DM Vs State of H.P.& others.(Regarding benefits of revised pay scale on analogy Yashwant Kumar CWP No. 8148/2022)

Sir,

The above cited CWP's have been filed before the Hon'ble High has been decided on the analogy of judgement passed By the Hon'ble High Court on 21.03.2024 in CWP No. 8148/2022 titled as Yashwant Kumar & others Vs State of HP.The Hon'ble High Court has passed the following orders:

" The stand of the State that the notification dated 3rd of January, 2022, is applicable only to regular employees cannot be accepted in law for the reason that while fixing the emoluments of contract employees, the pay band and grade pay that was taken into consideration was that of the regular employee. Therefore, as this Court is of the considered view that the petitioners are indeed entitled for the benefits of notification dated 3rd of January, 2022, as far as the payment of the difference of the emoluments between the minimum of pay band + grade pay paid to them and to which, they are entitled to post issuance of notification dated 3rd of January, 2022, which came into effect from 1st January, 2016, these writ petitions are accordingly allowed by directing the respondents to fix the pay of the petitioners for the period, they served on contract basis at the minimum of the revised pay band + grade pay alongwith such hike, to which, they are entitled to, in terms of the revised notification. It is clarified that this Court has not adjudicated upon the legal validity of the notification in issue, i.e. notification dated 12.01.2022, and this issue is left open. It is further clarified that the relief has been given to the petitioners is as from the date, when they were appointed on contract basis, till the date of their services were/are regularized.

Whereas, the judgement passed in CWP No. 8148/2022 titled as Yashwant Kumar & othersVs State of HP has been assailed by health Department way of filing LPA.Further CWP 2056/2023 titled as Ghashyam Dass was implemented vide this Directorate office order dated 18.06.2025 as per approval of Govt.letter dated 17.06.2025 subject to final outcome of LPA.

You are further ,directed to examine the case of the petitioner as per judgement passed by the Hon'ble High Court in above mentioned Court case and if found similarly situated to the judgement passed by the Hon'ble High Court on dated 21.03.2024 in the event petitioner be allowed the benefit of revised emoluments on contract as per Govt. Notification dated 12.01.2022 by way of passing apeaking order.

It is further directed that the Principal concerned school where the petitioner is presently working be directed to fix the pay of the petitioner for the period they served on contract basis at the (60%) minium revised pay scale alongwith such hike to which they are entitled to in terms of revised notification from 01.01.2016 to till their regularization subject to final outcome of LPA being filed by the State and other legal remedies. However, an undertaking to this effect may be obtained from the petitioner that the overpayment if any,found,in later stage shall be recovered from them accordingly.

DIRECTOR

Endst no. Even Dated Shimla-1 July.2026
Copy for information and necessary action to:-
1. The Distt. Attorney (Education), Directorate of School Education H.P. Shimla-171001
2. Incharge IT cell Directorate of School Education H.P. Shimla-171001

DIRECTOR

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