

No. EDN-(SE)-H(20)-B-6/2025-CWP No. 18142/2025
Directorate of School Education
Himachal Pradesh

Dated: Shimla -171001 Dated March, 2026

OFFICE ORDER

Whereas, the petitioner Smt. Rachna Devi, JOA (Library) is working at GSSS Bani, Distt. Hamirpur. Feeling aggrieved she filed CWP No. 18142/2025 titled as Rachna Devi Vs. State of H.P & others, seeking regularization of the petitioner's services from the date of initial appointment instead of the date of contract appointment, in light of the judgements passed in Nitin Kumar vs. State of HP. & others (CWP No. 1077/2019) and Umesh Jaswal vs. State of HP & others (CWP No. 5090/2022).

Whereas, the Hon'ble High Court of H.P. has disposed of the CWP No. 18142/2025 titled as Rachna Devi Vs. State of H.P & others on 24.11.2025. Operative part of the order/ judgement is as under:-

"Having regard to the above submissions, but without examining the merits of the matter, this writ petition is disposed of by directing the respondents No. 1 & 2/competent authority to consider and decide the case of the petitioner in accordance with law as well as taking into consideration the above judgment in the case of Nitin Thakur2 , by passing appropriate order, within a period of six weeks from today. The order so passed be also communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of."

Whereas, after careful consideration of the representation of the petitioner dated 04.11.2025, the petitioner has represented for the regularization from his initial appointment on contract basis along with consequential benefits on the analogy of CWP No. 5090 of 2022, titled as Umesh Jaswal Vs. State of Himachal Pradesh & Others and CWP No. 1077/2019 titled as Nitin Kumar Vs. State of Himachal Pradesh & Others.


Whereas, after thorough examination of the case, it is found that the petitioner was appointed as JOA (Library) vide this Directorate office order dated 08.07.2021 and consequently, the services of the petitioner were regularized vide office order dated 19.12.2023.

Whereas, the operative part of the judgement passed by the Hon'ble High Court of H.P in CWPOA No. 1077of 2019 titled as Nitin Kumar Vs. State of H.P. & others, decided on 22.08.2022 is reproduced as under:-

"14. Reverting to the facts of the instant case, admittedly, petitioner is suffering from 90% hearing impairment and also was appointed against the backlog vacancies for persons with disability. Thus, petitioner is entitled for all protection as envisaged under 1995 Act. View from any perspective the petitioner was entitled to be appointed on regular basis from very inception.

15. In view of the above discussions, the petition is allowed. Respondents are directed to treat the appointment of the petitioner on regular basis from the date of his initial appointment i.e. 6.11.2006. The respondents are further directed to release

In view of the fact stated here-in above, I am of the considered view that the petitioner of the present petition whose appointment was made "on contract basis" strictly in accordance with the provision of contract appointment in the "Recruitment & Promotion Rules" cannot be considered deemed regularized from her date of initial appointment/ joining on contract basis and hence, is not entitled for any other service benefits such as Seniority, Increment, promotion etc. as the case of the petitioner is not similar to Nitiin Kumar's case and also the petitioner of the present petition has not been appointed on regular basis as per provisions of this Act (Act No. 23 of 2025). Hence, the representation of the petitioner is hereby considered and rejected accordingly.



Director School Education
Himachal Pradesh

Endst. No. Even Dated: Shimla-171001 the , April, 2026

Copy for information and further necessary action to:-

1. The Secretary (Education) to the Govt. of H.P.
2. The District Attorney, Directorate of School Education, HP, Shimla-01
3. The Deputy Director of School Education Hamirpur, HP.
4. The Incharge (IT) Cell, Directorate of School Education, HP for uploading on the Departmental website.
5. Guard file.




Director School Education
Himachal Pradesh