

06 MAY 2025
4228

ORDER

Whereas, Smt. Devini Sharma, Supdt. Gr. II alongwith 58 other petitioners filed present petition to seek the relief to the effect that the promotional benefit may be granted w.e.f. 05.10.2015 i.e. the date from which they were promoted as Supdt. Gr. II on notional basis and opportunity be granted for exercising option to get the pay fixed on the promotional post after earning annual increment of the lower post.

In view of above, the matter was taken up with the Govt. and Govt. vide letter dated 15.10.2018 has advised that "as per the provision of Rules, option for pay fixation is exercised only in case of regular promotion. In case of notional promotion, there is no provision for exercising of option".

Whereas, the Hon'ble High Court has passed the judgment/order in CWPOA No. 5312/2020 on 17.05.2024. The operative part of the judgment is as under :-

"This writ petition is partly allowed. The respondents are directed to grant an opportunity to the petitioners for exercising their option for fixing their pay consequent upon their promotion to the post of Superintendent Grade-II on notional basis w.e.f. 05.10.2015. The consequent follow up action be taken up on that basis. This exercise be completed within for weeks from today.

The instant writ petition is disposed of with above direction. Pending miscellaneous application(s), if any, shall stand disposed of".

Now therefore, in view of directions of Hon'ble Court, opportunity is hereby granted to the petitioners for exercising their option for fixing their pay consequent upon their promotion to the post of Superintendent Grade-II on notional basis w.e.f. 05.10.2015.

All the concerned be informed.

01 MAY 2025
शिमला-1

(Dr. Amarjeet K. Sharma)
Director of Higher Education
Himachal Pradesh
April, 2025.

Endst. No. Even, Dated: Shimla-1, the
Copy for information and necessary action to:-

1. The Director of School Education HP Shimla-I
2. The Ld. District Attorney/Supdt. Legal Cell, DHE HP
3. All the Dy. Directors of Higher/School Education with the direction to inform all the concern petitioners working under their control as per list attached and send their pay fixation cases to this Directorate within fifteen days along with option exercised by them as per promotion order, so th at directions of the Hon'ble Court could be implemented in letter and spirit. DHE Kangra, Distt. Kangra, HP (Regd.).
4. Guard file.

Director of Higher Education
Himachal Pradesh.

No. EDN-1KGR (A-5)B/2025 - 5163
o/o the DHE, Kangra at D. Bala
Date: - 07/05/2025
All the Dinutals of Distt Kangra are directed to inform all the concern petitioners working under their control as per list attached and send their pay fixation cases to this Directorate within three days after submission of the list. PIN Code-176215

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IN THE HON'BLE H.P. ADMINISTRATIVE TRIBUNAL AT SHIMLA, HP.

OA NO. _____/2018

IN THE MATTER OF:

1. DEVINI SHARMA D/O LT. SH. RADHA KRISHAN SHARMA R/O B-4 BLOCK B DEV BHOOMI APARTMENTS, POWER HOUSE ROAD SAPROON SOLAN-173211 Presently Posted at BEEO DHARAMPUR DISTT. SOLAN.
2. PANKAJ S/O SH. AMARNATH SHARMA R/O H.NO. 404, WARD NO. 11 NEAR LINK THEATRE BBMB COLONY SUNDER NAGAR-175019 Presently Posted at BEEO Chail Chowk.
3. KISHAN SINGH S/O SH. THAKUR SINGH R/O VILL. GALOO P.O BALOH TEH. SADAR MANDI, DISTT. MANDI Presently Posted at DDEE Mandi.
4. GOPAL SINGH S/O SH. KESHAV RAM R/O VILL. THARKI P.O KUFRI TEH. PADHAR DISTT. MANDI-175012, Presently Posted at GSSS KUFRI.
5. PARVEEN KUMAR S/O SH. CHIRANJI LAL R/O VILL. JHEER P.O GAHAR TEHSIL SARKAGHAT, DISTT. MANDI, Presently Posted at GSSS KEHNWAL TEH. SADAR.
6. VINOD KUMAR S/O SH. HARI CHAND R/O VILL. MATALAG P.O MASERAN TEH. SARKAGHAT, DISTT. MANDI Presently Posted at GSSS TIKKAR DISTT. MANDI.
7. HARISH KUMAR S/O LT. SH. SARAN DASS R/O VILL. LOWER BEHLI P.O MASERAN TEHSIL SARKAGHAT, DISTT. MANDI Presently Posted at BEEO SUNDER NAGAR-1.
8. SATISH CHAUHAN S/O LT. SH. SHER SINGH R/O VPO TIHRA TEHSIL SARKAGHAT, DISTT. MANDI Presently Posted at GDC KOTLI.
9. PAMMI W/O SH. VINAY KUMAR R/O H NO. 263/3 JAIL ROAD MANDI - 175001 Presently Posted at DDHE MANDI, DISTT. MANDI.
10. BANSILAL S/O SH. HIRA SINGH R/O VILL. BADYAH P.O BHANGROTU TEHSIL BALH, DISTT. MANDI Presently Posted at BEEO BALH DISTT. MANDI.
11. BANTI DEVI W/O LT. SH. SHYAM LAL R/O VPO LEDA TEHSIL BALH DISTT. MANDI Presently Posted at GSSS CHOWK DISTT. MANDI.
12. CHINTA DEVI W/O LT. SH. TEJ SINGH R/O VPO URLA TEHSIL PADHAR DISTT. MANDI Presently Posted at GSSS URLA DISTT. MANDI.
13. LAL CHAND S/O DHANI RAM R/O VILL. BASHLALA P.O KHUNACHI, DISTT. MANDI Presently Posted at GSSS KHUNACHI DISTT. MANDI.
14. RAM LAL S/O CHHAPE RAM R/O VILL. BHET P.O GHANIAR TEHSIL BALICHOWKI, DISTT. MANDI Presently Posted at GSSS BALICHOWKI.
15. MANISH KUMAR S/O LT. SH. UDHAM SINGH R/O VILL. TIKKRI P.O MANDAL TEHSIL BALH, DISTT. MANDI Presently Posted at BEEO CHACHIOT-11 DISTT. MANDI.

16. CHANDRA SHEKHAR S/O SH. UMESH CHANDRA R/O VILL. AND P.O NAGWAIN TEHSIL AUT, DISTT. MANDI Presently Posted at GSSS NAGWAIN DISTT. MANDI.
17. SUNDERSHAN KUMAR S/O LT. SH.KAPAL DEV R/O VILL. NANGABAGH P.O BANBROLE TEHSIL, DISTT. KULLU-175128 Presently Posted at GSSS KATRAIN DISTT. KULLU.
18. SUBHASH CHANDER S/O PARTAP SIN R/O VPO BAROTA, GHUMARWIN BILASPUR-174027 Presently Posted at GSSS DANGAR DISTT. BILASPUR.
19. ANIL KUMAR S/O LT. SH.AJMER SINGH R/O H NO. HIG-131, HOUSING BOARD COLONY-DEVI NAGAR, PAONTA SAHIB, DISTT. SIRMOUR-173025 Presently Posted at GSSS DANGAR DISTT. BILASPUR.
20. ARUN KUMAR S/O LT. SH.MEHAR CHAND R/OVPO AMROH TEHSIL BHORANJ, DISTT. HAMIRPUR-177024 Presently Posted at BEEO BHORANJ DISTT. HAMIRPUR.
21. PRAVEEN SHARMA S/O SH.DHIAN CHAND R/O VILL. SAHARWIN P.O LADRAUR TEHSIL BHORANJ, DISTT. HAMIRPUR-176043 Presently Posted at BEEO BHORANJ DISTT. HAMIRPUR.
22. KAMAL JEET S/O SH.BISHAMBER DASS R/O VPO BAHINA TEHSIL BARSAR, DISTT. HAMIRPUR-174309 Presently Posted at BEEO BIJHARI DISTT. HAMIRPUR.
23. MUKESH S/O ROSHAN LAL R/O VPO AMLELA TEHSIL JAWALI, DISTT. KANGRA Presently Posted at GSSS NAGROTA SURIYAAN DISTT. KANGRA.
24. RADHE KRISHAN S/O SALIRAM R/O VPO-REHLU TEHSIL SHAHPUR, DISTT. KANGRA Presently Posted at GSSS DURGELLA DISTT. KANGRA.
25. PRAVEEN KUMAR S/O ROSHAN LAL R/O VPO-LOWER BHAMBLA TEHSIL-BALDWARA, DISTT. MANDI(H.P.) Presently Posted at GSSS HARCHAKIAN DISTT. KANGRA.
26. RAJESH KUMAR S/O KRISHAN KUMAR R/O VPO BANKHANDI TEHSIL DEHRA DISTT. KANGRA Presently Posted at GSSS BANKHANDI DISTT. KANGRA.
27. BISHAN DASS S/O LAKHU RAM R/O VPO BANKHANDI TEHSIL DEHRA DISTT. KANGRA Presently Posted at GSSS RAJIANA BANDH DISTT. KANGRA.
28. SANDEEP SINGH S/O AMAR SINGH R/O VPO BAGHNI TEHSIL NURPUR DISTT. KANGRA Presently Posted at GSSS RAJA KA TALAB DISTT. KANGRA.
29. RAM PIARI W/O RAJINDER PRASHAD R/O H NO.-285, LOWER SHYAM NAGAR, DHARAMSHALA DISTT. KANGRA Presently Posted at BEEO FATEHPUR DISTT. KANGRA.
30. CHARAN JEET S/O BIDHI CHAND R/O VPO-SAROTRI TEHSIL BAROH DISTT. KANGRA Presently Posted at GDC TAKKIPUR.
31. NARDEV SINGH S/O SANDAL SINGH R/O VILL. CHATTROLI P.O JASSUR TEHSIL NURPUR DISTT. KANGRA-176201 Presently Posted at BEEO NURPUR.
32. SUBHASH CHAND S/O BISHAN DASS R/O VILL. KACHHAL JAGIAN P.O AND TEHSIL JAISINGHPUR DISTT. KANGRA Presently Posted at BEEO LAMBA GAON.

33. PARVEEN JAMWAL S/O KISHORI LAL R/O VILL. RAJNAGAR P.O SANSAI
TEHSIL BAIJNATH, DISTT. KANGRA-176088 Presently Posted at GSSS
UTTRALA.
34. MANOJ KUMAR S/O PRAKASH CHAND R/O VILLAGE MOTLA P.O DHULARA
TEHSIL SIHUNTA, DISTT. CHAMBA, Presently Posted at GCTE
DHARAMSHALA.
35. KAPIL DEV S/O ROSHAN LAL R/O VPO DURGELLA TEHSIL SHAHPUR, DISTT.
KANGRA Presently Posted at GDC SHAHPUR.
36. SATISH CHAND S/O BHAWANI SINGH R/O VPO MALKEHAR TEHSIL
PALAMPUR, DISTT. KANGRA Presently Posted at GSSS GARH JAMULA.
37. MADANMOHAN S/O JAISHI RA R/O VPO REY TEHSIL FATEHPUR, DISTT.
MANDI Presently Posted at GSSS KHATIAR.
38. ACHYUT NARAYAN S/O HAKAM CHAND R/O VPO DRAMMAN TEHSIL
SHAHPUR, DISTT. KANGRA Presently Posted at BEEO RAIT.
39. SUSHEEL KUMAR S/O CHAMEL SINGH R/O VPO SAMOH, DISTT. BILASPUR-
174021 Presently Posted at GSSS RISHIKESH DISTT. BILASPUR.
40. NIRMAL SINGH PATHANIA S/O AMIN CHAND PATHANIA R/O VILL. LOHARDA
P.O LAHAR TEHSIL NADAUN, DISTT. HAMIRPUR-177044 Presently Posted at
GSSS RAIL HAMIRPUR.
41. CHAMAN LAL S/O LT. SH. PREM CHAND R/O VPO MANJOO TEHSIL ARKI,
DISTT. SOLAN-173208 Presently Posted at GSSS CHANDI ARKI DISTT.
SOLAN.
42. SANTOSH KUMAR SHARMA S/O SH. TILAK RAJ SHARMA R/O VILL. KARHA
P.O KHARWAR TEHSIL BHORANJ, DISTT. HAMIRPUR Presently Posted at
DDEE HAMIRPUR.
43. RAKESH KUMAR S/O SH. CHARAN DASS R/O VILL. HUWAN P.O SUNARA
TEHSIL AND DISTT. CHAMBA Presently Posted at BEEO BHARMOUR.
44. CHAMARU RAM S/O SH. NAR SINGH R/O VILL. BAROH P.O LAROG TEHSIL
AND DISTT. CHAMBA Presently Posted at DDHE CHAMBA.
45. BHUVESH KUMAR S/O LT. SH. MANSA RAM R/O MOHALLA SURARA TEHSIL
AND DISTT. CHAMBA Presently Posted at DDHE CHAMBA.
46. SARITA DEVI W/O LT. SH. DEV RAJ R/O VILL. CHURARI P.O HAWAN TEHSIL
GHUMARWIN, DISTT. BILASPUR-174003 Presently Posted at GSSS
CHALEHLI.
47. RAJ KUMAR TOMAR S/O LT. SH. BAHADUR SING R/O VILL. BHOGAR P.O
KOTI-DHIMAN TEHSIL DADAHU, DISTT. SIRMOUR-173022 Presently Posted
at GSSS KOTI-DHIMAN DISTT. SIRMOUR.
48. MAST RAM S/O SH. BABU RAM R/O VILL. AND P.O SAMOH TEHSIL
JHANDUTTA DISTT. BILASPUR-174041 Presently Posted at GC
JHANDUTTA.
49. GIAN CHAND S/O SH. DHARAM SINGH R/O VILL. NAHROL AND P.O ROHAL
TEHSIL JHANDUTTA, DISTT. BILASPUR-174031 Presently Posted at GSSS
DOHAD.

50. KRISHAN DUTT S/O SH.DEVI DUTT R/O VILL. AND P.O BERTHIN TEHSIL JHANDUTTA, DISTT. BILASPUR Presently Posted at GSSS JEJWIN.
51. HAMENDER DUTT SHARMA S/O SH.KRISHAN DUTT SHARMA R/O VILL. PARAG P.O BERWERY TEHSIL AND DISTT. SOLAN Presently Posted at GSSS KAWARG.
52. SURINDER KUMAR THAKUR S/O SH.JAI RAM R/O VILL. CHOHRRA P.O JAGAH TEHSIL KANDAGHAT DISTT. SOLAN Presently Posted at GSSS CHAIL.
53. GYANO DEVI W/O SH.HARI KRISHAN R/O VILL. TAGRA HARI SINGH NEAR RAM MANDIR KALKA DISTT. PANCHKULA-133302 Presently Posted at BEEO NALAGARH.
54. DEVENDER GUPTA S/O SH.GANPAT RAM R/O VILL. SAI TEHSIL ARKI P.O BALERA, DISTT. SOLAN Presently Posted at GSSS BALERA.
55. PRAVEEN THAKUR D/O SH.PIARA SINGH THAKUR R/O VILL. AND P.O KHERA TEHSIL NALAGARH, DISTT. SOLAN-174101 Presently Posted at GSSS(GIRLS) NALAGARH.
56. BHAGAT SINGH S/O SH.BHAJNA RAM R/O - VILL. DATTOWAL P.O AND TEHSIL NALAGARH, DISTT. SOLAN 174101 Presently Posted at GSSS MITTIAN .
57. ANJEEV KUMAR S/O SH.RATTAN SINGH R/O VPO GILTARI TEHSIL JUBBAL, DISTT. SHIMLA Presently Posted at BEEO TIKKAR DISTT. SHIMLA.
58. NARAIN SINGH S/O SH.SURAT SINGH R/O VILL. BANSA P.O JAGHOTI TEHSIL ROHRU, DISTT. SHIMLA-171207 Presently Posted at GSSS(GIRLS) ROHRU DISTT. SHIMLA.
59. DINA LAL SHOTAN S/O SH.LUDER SINGH R/O VILL. AND P.O TODSA SUB. TEHSIL JANGLA, DISTT. SHIMLA-171214 Presently Posted at GSSS JANGLA DISTT. SHIMLA.

...APPLICANTS.

VERSUS

1. State of Himachal Pradesh through Principal Secretary (Education) to the Government of Himachal Pradesh, Shimla-2.
2. Director Higher Education ,Himachal Pradesh, Directorate Of Education , Shimla, H.P.

RESPONDENTS.