

No: EDN-H(2)B(6)-18/2024(A)-Court Case

Directorate of Elementary Education,

Lalpani-Shimla-1 Himachal Pradesh.

Dated Shimla-171001 the

02nd May, 2024

ORDER

In the matter of: CWP No. 2601/2024-titled as Maya Devi, TGT (Arts) V/s State of Himachal Pradesh (Regarding Transfer).

Smt. Maya Devi, TGT (Arts) has filed CWP No. 2601/2024 titled as Maya Devi V/s State of H.P., and seeking her transfer from GMSSS, Nankhari (Sml.) either to GSSS, Ghasnoo Distt. Mandi against longer stayee by clubbing his previous stay, GSSS, Rajgarh Distt. Mandi against longer stayee by clubbing the previous stay, GMS, Padal u/c GSSS Kapahi (Mnd.) a/v, or GHS Narwandhi Distt. Mandi Against Vacancy. The case was listed before the Hon'ble High Court of H.P. on 27.03.2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgment is as under:-

"This writ petition is accordingly disposed of with the direction that the representation filed by the petitioner be decided in light of the averments made therein within a period of four weeks from today. Pending miscellaneous application(s), if any also stand disposed of accordingly."

In compliance to the Hon'ble High Court of Himachal Pradesh order/ judgment dated 27.03.2024, petitioner has submitted her fresh representation and stated that she has promoted from JBT to TGT on Spetember 2021 and posted at GMSSS, Nankhari Distt. Shimla H.P. which is approximately 300 Kms. away from her home. Her husband is working as a Principal at GSSS Rohanda Distt. Mandi. On the ground of couple case as per provision in Clause 5.4 of Comprehensive Guiding Principles 2013 adjust her at one of the station she has mentioned in the representation.

From the perusal of record, it is revealed that Smt. Maya Devi, TGT (Arts) is working at GMSSS, Nankhari Distt. Shimla. At present post of TGT (Arts) are not lying vacant in the above mentioned schools, however one Sh. Tilak Raj, TGT (Arts) is working in GSSS, Rajgarh District Mandi since 06.10.2023 and having short stay, but serving within the radius of 11 kilometers last 04 years. The continuous services rendered by employees of Education Department within a radius of 30 Kms. be considered stay/tenure at one station & such services will be clubbed for calculation of tenure purpose of transfers.


Keeping in view the position stated above, representation of petitioner Smt. Maya Devi, TGT (Arts) is considered sympathetically and she is hereby transferred from GMSSS, Nankhari Distt. (MND) to GSSS, Rajgarh Distt. Mandi vice Sh. Tilak Raj, TGT (Arts) and vice versa by clubbing his previous place of postings tenure (with TTA/JT to Sh Tilak Raj). Therefore, representation of the petitioner with the present CWP is disposed of accordingly.

प्रारम्भिक शिक्षा नदरालय
04 MAY 2024
DIRECTOR
Elementary Education
Himachal Pradesh, Shimla
शिमला-1

Endst No. Even dated, Shimla-1, the 02nd May, 2024

Copy to the following for information and necessary action please:-

1. The Secretary (Education) to the Govt. of Himachal Pradesh, Shimla-2
2. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 2601/2024.
3. The Deputy Director of Elementary Education, Mandi, H.P.
4. The Principal, GSSS Nankhari Distt. Shimla/GSSS Rajgarh, District Mandi, H.P.
5. Smt. Maya Devi, TGT (Arts) GSSS Nankhari, District Shimla H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1.
7. Guard File.


DIRECTOR
Elementary Education
Himachal Pradesh, Shimla