

No.EDN-H(2)B(6)1-18/2022-23 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001 the, May.2024

In the matter :

CWP No.1848/2024 titled as Smt. Sarita Kumari ,TGT (Med) Vs state of H.P. & others .

The Petitioner, Smt. SaritaKumari,TGT (Med), filed CWP No.1848/2024 titled as, Sarita Kumari,TGT(Med) Vs State of H.P. before the Hon'ble High Court of H.P. aggrieved her transfer from GSSS Rakkar(Bajjnath) Distt. Kangra to GHS Tippi u/c GSSS Bathu Tippi Distt. Kangra . The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 29thApril,2024, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

"Learned counsel for the petitioner,under instructions, seeks permission of this Court to withdraw the present petition with liberty to make representation to the competent authority.Prayer being innocuous is allowed.Accordingly, the petition is dismissed as withdrawn,reserving liberty as aforesaid.Pending applications,if any,also stand disposed of."

As per direction of the Hon'ble High Court the petitioner was called for personel hearing on dated 20th May.2024. The petitioner attended the personal hearing on scheduled date and time .During personal hearing she has requested that she may be adjusted in GHS Bharwana u/c GSSS Saliana /GHS Draman u/c GSSS Jalag /GSSS Dagoh/ GSSS Averi /GSSS Ghar/GSSS Rajiana,53 mile Distt. Kangra, against vacancy or clubbing by previous stay. The petitioner has further stated that there is no one of the family to look after her old ailing father in law.

From the perusal of the record, it reveals that Smt. Sarita Kumari,TGT (Med) is presently u/t from GSSS Rakkar (Bajjnath) Distt. Kangra to GHS Tippi u/c GSSS Bathu Tippi Distt. Kangra, with the prior approval of the competent authority.As per averments made by the petitioner,the representation is considered sympathically and she is hereby adjusted in GSSS Rajiana(53 mile) Distt. Kangra vice Smt. Meena Kumari,TGT (Med) (by clubbing her previous stay),with TTA/JT.With these observations the representation of the petitioner is considered and disposed of accordingly

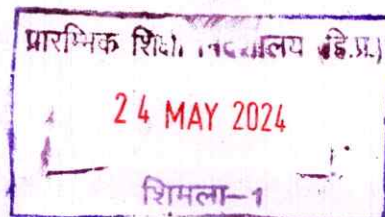

DIRECTOR

May.2024.

Endst. No. Even Dated Shimla-171001.

Copy for information is forwarded to:

- 1 The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
- 2 The Deputy Director of Elementary Education, Kangra H.P.
- 3 The Principal/ Headmaster GSSS Rakkar (Bajjnath) Distt. Kangra/ GHS Tippi u/c GSSS Bathu Tippi GSSS Rajiana(53 mile) Distt. Kangra
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.




DIRECTOR

No: EDN-H (2) B (6)1-18/2024(A)-Court Case
Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.
Dated Shimla-171001 the

May, 2024.

ORDER

In the matter of: CWP No: 4227/2024-Tilak Raj Vs. State of Himachal Pradesh.

The subject cited case has been preferred by the petitioner i.e. Tilak Raj, TGT (Arts) who is under order of transfer from GSSS, Rajgarh Distt. (Mandi) to GSSS, Nankhari Distt. (Sml.) vice Smt. Maya Devi, TGT (Arts). He is seeking his adjustment at GHS, Narwandhi u/c GSSS, Sianj (Mnd.) and GMS, Timbru u/c GSSS, Nihri Distt. Mandi. The case was listed on 26.02.2024, when the same has been disposed of with the following order :-

"Learned counsel for the writ petitioner submits that interest of justice would be served in case representation (Annexure P-4) that has been filed by the petitioner is ordered to be decided sympathetically by the Authority concerned in view of the averments made therein.

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Tilak Raj, TGT (Arts) has attended the personal hearing on 20.05.2024 and stated that due to his father's health problem he may be adjusted at GHS, Narwandhi u/c GSSS, Sianj (Mnd.) and GMS, Timbru u/c GSSS, Nihri Distt. Mandi against vacancy.

From perusal of the record it reveals that the petitioner i.e. Sh. Tilak Raj, TGT (Arts) was transferred from GSSS, Rajgarh Distt. Mandi to GSSS Kumarsain District Shimla vice Smt. Maya Devi, vice/versa by clubbing his previous place of posting with TTA/JT.

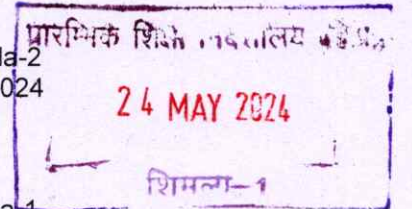
The petitioner has been serving within the radius of 30 Km. despite the fact that TGT (Arts) is State Cadre post and the incumbents are supposed to serve anywhere in the State in the exigencies of the service. Keeping in view, the above facts and circumstances, the case of the petitioner for adjustment cannot be considered at this stage on administrative ground and in large public interest. Hence, request made by the petitioner is hereby rejected. The representation of the petitioner is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the 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 No4227/2024
3. The Deputy Director of Elementary Education, Mandi/Shimla, H.P.
4. The Principal, GSSS, Kumarsain Distt. Shimla H.P.
5. Sh. Tilak Raj, TGT (Arts) u/t from GSSS, Rajgarh Distt. Mandi H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1
7. Guard file.



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

No: EDN-H (2) B (6)1-18/2024(A)-Court Case

Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.

Dated Shimla-171001 the

May,2024

ORDER

In the matter of: CWP No: 736/2024- Vijay Kumar Vs. State of Himachal Pradesh.

Sh. Vijay Kumar, TGT (Arts) has filed CWP No. 736/2024-before the Hon'ble High Court of H.P. regarding transfer from GSSS, Thaltukhod District Mandi. The case was listed on 26.02.2024, when the same has been disposed of with the following order :-

" Learned counsel for the writ petitioner submits that with respect to the controversy in issue in the present list, the petition at Annexure P-3, before the concerned authority.

In view of the aforesaid facts and attending circumstances, the petitioner is free to pursue his representation before the concerned authority in accordance with law.

In view of above, no further order is required to be passed in the present petition and the same is disposed of, so also, pending miscellaneous application(s), if any.

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Vijay Kumar, TGT (Arts) was called for personal hearing and appeared before the undersigned on 20.05.24. He has submitted representation vide which he stated that he is suffering from ear disease and in the area of high altitude the disease gets more fatal and more Sever, as the present place of posting is high altitude area and the applicant has been serving there for over one and half year, while staying over there the situation has become worst and he had to undergo the surgery for the treatment of the same from PGI Chandigarh and further doctor has advised him to reside in the area of low altitude. So, he has requested to transfer him at GHS, Chawkdi (Mnd.), GSSS, Rajwari against longer stayee, GSSS, Hatgarh Distt. Against longer stayee and GHS, Kothi u/c GSSS, Gurkotha (Mnd.) on retirement of present incumbent.

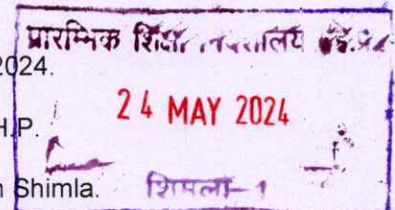
From the perusal of record, it is found that Sh. Vijay Kumar, (Arts) is working at GSSS, Thaltukhod District Mandi since 14.10.2022 on regular basis and has not completed normal tenure at his present place of posting. One post of TGT (Arts) is going to be vacated at GHS, Kothi u/c GSSS, Gurkotha District Mandi due to retirement of present incumbent on 29.06.2024. Therefore, after thorough examination and thoughtful application of mind the request made by the petitioner in his representation is considered sympathetically and he is hereby transferred from GSSS, Thaltukhod Distt. Mandi to GHS, Kothi u/c GSSS, Gurkotha Distt. Mandi against vacancy, to be caused due to retirement of present incumbent, without TTA/JT on medical grounds. The representation of the petitioner is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

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

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t CWP No. 736/2024.
2. The Deputy Director of Elementary Education, Mandi, H.P.
3. The Principal GSSS, Thaltukhod /GSSS Gurkotha, District Mandi, H.P.
4. Sh. Vijay Kumar, TGT (Arts) GSSS, Thaltukhod District Mandi,
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla