

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

June, 2024

**ORDER**

In the matter of: CWP No: 4433/2024-titled as Naresh Kumar V/s. State of Himachal Pradesh.

The petitioner has filed CWP No. 4433/2024 titled as Naresh Kumar V/s State of H.P. in the Hon'ble High Court against his transfer order dated 16.3.2024 and seeking adjustment at GSSS Malraon, against vacancy or GSSS Zakatkhana vice Sh. Ramesh Kumar by clubbing his stay of previous stations within the radius of 30 Kms. The case was listed before the Hon'ble High Court of H.P. on 22-05-2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

*"In view of above, learned counsel for the petitioner submitted that the petitioner intends to make a representation to the respondents, seeking his adjustment. It is open for the petitioner to make a representation to the competent authority in accordance with law and it is for the competent authority to decide the same.*

*The writ petition stands disposed of in the above terms, so also the 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. Naresh Kumar, TGT (Arts) has attended the personal hearing on 13-06-2024 and has submitted fresh representation that he may be adjusted either at GSSS Malraon, against vacancy or GSSS Zakatkhana vice Sh. Ramesh Kumar by clubbing his stay of previous stations within the radius of 30 Kms.

From the perusal of record, it is found that Sh. Naresh Kumar, TGT (Arts) was transferred from GMS Amroa u/c GSSS Balgahar (BLP) to GSSS Purla (SLN) vice Sh. Vijay Kumar, TGT (Arts) ~~and~~ vice versa basis, with the prior approval of the competent authority, where he was working since since 06.10.2023 and having short stay, but serving within the radius of 30 kilometers. 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.

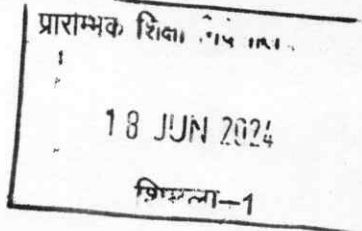
The petitioner has been serving within the radius of 30 kilometers despite the fact that TGT (Arts) is State Cadre post and the incumbents are supposed to serve anywhere in the State in the exigencies of the service. Keeping in view, the above facts and circumstances, the case of the petitioner for adjustment cannot be considered at this stage. 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 June, 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. 4433/2024.
2. The Deputy Director of Elementary Education, Bilaspur/Solan, H.P.
3. The Principal GSSS Purla (SLN)/GHS Balgahar (BLP) H.P.
4. Sh. Naresh Kumar, TGT (Arts) GMS Amroa u/c GHS Balgahar (BLP) H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



**DIRECTOR**  
**Elementary Education**  
**Himachal Pradesh, Shimla**

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

June, 2024

**ORDER**

In the matter of: CWP No. 4227/2024-titled as Tilak Raj, TGT (Arts) V/s State of Himachal Pradesh (Regarding Transfer).

In compliance of the order/judgment passed by the Hon'ble High Court of Himachal Pradesh dated 17.5.2024 in present case that the petitioner was called for personal hearing on 13-06-2024 and did not appear before the undersigned on scheduled date.

From perusal of the record it reveals that the petitioner Sh. Tilak Raj, TGT (Arts) was transferred from GSSS Rajgarh (MND) to GMSSS Nankhari (SML) vice Smt. Maya Devi, TGT (Arts) and vice versa basis in view of CWP No. 2601/2024 by clubbing his previous place of posting tenure, where he was working within the radius of 11 kilometers last four years. Further Sh. Tilak Raj, TGT (Arts) has already been joined his duty at GMSSS Nankhari (SML) on dated 27-05-2024.

Keeping in view, the above facts and circumstances, the case of the petitioner for adjustment cannot be considered at this stage as the petitioner has already been joined at transferee school i.e. GMSSS Nankhari, District Shimla. Hence, the above CWP stands disposed of.

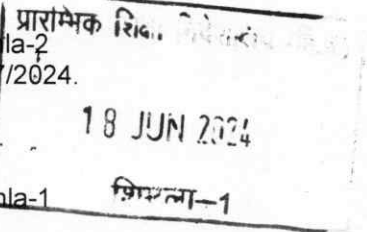
**DIRECTOR**  
**Elementary Education**  
**Himachal Pradesh, Shimla**

Endst No. Even dated, Shimla-1, the June, 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. 4227/2024.
3. The Deputy Director of Elementary Education, Mandi/Shimla, H.P.
4. The Principal, GSSS Rajgarh (MND)/GMSSS Nankhari (SML) H.P.
5. Sh. Tilak Raj, TGT (Arts) GMSSS Nankhari (SML) 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 June, 2024

**ORDER**

In the matter of: CWP No: 4974/2024-titled as Ku. Anju Dhiman V/s. State of Himachal Pradesh.

The petitioner has filed CWP No. 4974/2024 titled as Ku. Anju Dhiman V/s State of H.P. in the Hon'ble High Court in which petitioner has seeking her transfer from hard area to a soft area. The case was listed before the Hon'ble High Court of H.P. on 31.5.2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

**“Looking into the grievance raised by the petitioner, the instant writ petition is disposed of by permitting the petitioner to make a fresh representation to the competent authority/respondent No.2, within a period of one week from today, who shall in turn, consider and decide the same, in accordance with law and applicable Transfer Policy, within a further period of two weeks. The decision so arrived at shall also be communicated to the petitioner.”**

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Ku. Anju Dhiman, TGT (Arts) has attended the personal hearing on 15-06-2024. At the time of hearing she has submitted fresh representation and requested her transfer from GSSS Poolan Distt Chamba either to GSSS Dheera Distt. Kangra against vacancy or GSSS Gaggal or GSSS Ballah or GHS Nanaon Distt. Kangra, in view of her family circumstances.

From the perusal of record, it is found that Ku. Anju Dhiman, TGT (Arts) has been working GSSS Poolan Distt Chamba, since 24.2.2021 and has completed her normal tenure at present place of posting, which falls in tribal area of Distt. Chamba. At present the post of TGT(Arts) is lying vacant at GSSS Dheera Distt. Kangra, whereas 138 students are studying there.

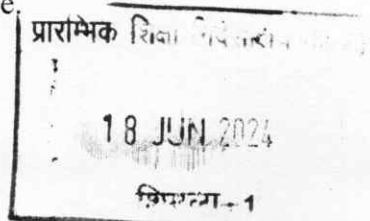
Keeping in view the position stated above, representation of petitioner Ku. Anju Dhiman, TGT (Arts) is considered sympathetically and she is hereby transferred from GSSS Poolan Distt Chamba (Tribal area) to GSSS Dheera Distt. Kangra against vacancy on her own request. Therefore, representation of the petitioner with the present CWP is disposed of accordingly.

*Sd/-*  
**DIRECTOR**  
Elementary Education  
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the June, 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. 4974/2024.
2. The Deputy Director of Elementary Education, Chamba/Kangra, H.P.
3. The Principal GSSS Poolan, Distt. Chamba / GSSS Dheera Distt. Kangra.
4. Ku. Anju Dhiman, TGT (Arts) GSSS Poolan, Distt Chamba H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



*M*  
**DIRECTOR**  
Elementary Education  
Himachal Pradesh, Shimla