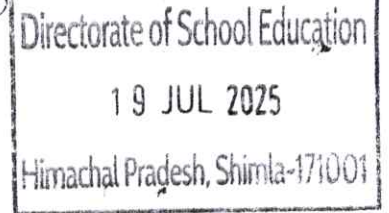


No. EDN-SE (26)B(6)-10462/2025 (Court Case)
Directorate of School Education
Himachal Pradesh.



Dated Shimla-171001

ORDER

Whereas, Sh. Pradeep Kumar, Lecturer (School-New) English presently posted at GSSS Tindi (Lahaul & Spiti) was filed CWP No. 10462/2025 before the Hon'ble Court to direct the respondent to consider and decide his representation wherein he has seeking his transfer to a station of his choice as he has posted in tribal area for last 22 years.

The case was finally disposed of by the Hon'ble Court on 01.07.2025 with the following directions:-

“Looking to the limited grievance of the petitioner, this writ petition is disposed of by directing respondent/competent authority to consider and decide the aforesaid representation of the petitioner in accordance with law and as per applicable notification/policy within a period of three weeks from today. The decision so taken be also communicated to the petitioner. Pending miscellaneous application(s), if any, also stand disposed of.”

And whereas, upon passing of above directions, it is found that prior to this station i.e. GSSS Tindi (L&S) petitioner was posted at GSSS Malang (L&S) but due to zero enrollment of students at GSSS Malang (L&S) he was shifted under rationalization to GSSS Tindi (L&S) in the interest of students and also kept in mind his home district and he has joined there on 13.06.2025.

And whereas, as per the direction passed by the Hon'ble Court as above, the request of the petitioner has been considered and found that petitioner has already joined at transferred station i.e. GSSS Tindi (L&S) on 13.6.2025 and as per “Comprehensive Guiding Principles-2013” for regulation the transfer of State Government employees it is clearly mentioned at Rule-12.1 that no government employee can claim his transfer or posting as a matter of right. It will be the discretion of the State Government to post/transfer any employee anywhere in the State keeping in view of the administrative exigencies/convenience.


Contd/2-

Now therefore, after taking into account the above discussed detailed facts and circumstances, the request of the petitioner cannot be acceded to. Hence in view of ongoing facts, representation of the petitioner has been considered and rejected.

With these observations, representation stands disposed of.

Regd.


**Sh. Pradeep Kumar, S/o Sh. Prem Lal,
Lecturer (School-New) English,
GSSS Tindi, Distt. L&S, H.P.**

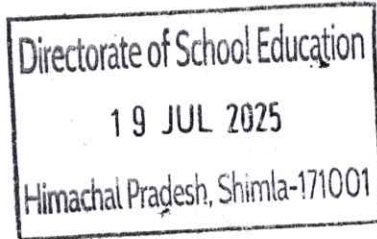

Director School Education
Himachal Pradesh.

Endst No. Even Dated Shimla-171001, the

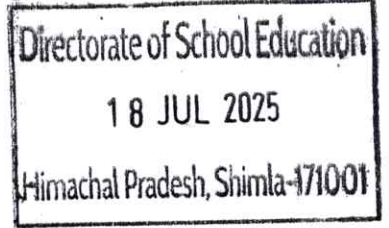
Copy is forwarded to the following for information and necessary action please:-

1. The Deputy Director of Higher Education, Lahaul & Spiti, Distt Lahaul & Spiti, H.P.
2. The Principal, GSSS Tindi, Distt. Lahaul & Spiti.
3. Supdt. Legal Cell, DSE in view of CWP No.10462/2025
4. Incharge, IT Cell, DSE to upload the said orders on official website.
5. Guard File.


Director School Education
Himachal Pradesh.



No. EDN-SE (26)B(6)-5179/2025 (Court Case)
Directorate of School Education
Himachal Pradesh.



Dated Shimla-171001

ORDER

Whereas, Smt. Jyoti, Lecturer (English) who was transferred from GSSS Khalini (Shimla) to GSSS Kaloti (Shimla) vice Sh. Parmesh Kumar, Lecturer (School-New) English by clubbing her previous stay within the radius of 30 KM issued vide this office order dated 02.04.2025. But against these orders Smt. Jyoti, Lecturer (School-New) (English) was filed CWP No. 5179/2025 before the Hon'ble High Court as pleaded that due to her serious ailment it is not possible to join at transferred station i.e. GSSS Kaloti (SML) and the case was listed before the Hon'ble High Court on 07.04.2025 and in first instance Hon'ble Court stayed the said orders.

The case was finally listed before the Hon'ble Court on 27.06.2025 when the case was disposed of with the following directions:-

“Having taken note of the fact that petitioner has already completed normal tenure at present place of posting, this court sees no reason to interfere in the impugned transfer order and as such, same is upheld. However, after perusing the medical documents which are taken on record, this Court, without going into the merits of the case, deems it fit to dispose of the present petition reserving liberty to file representation within two days for her adjustment at a convenient station, which shall be decided within ten days, Ordered accordingly.”

“Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate orders taking note of Transfer Policy, which certainly enables an employee to seek transfer/adjustment at a convenient station on medical grounds. Till the time, representation, as detailed herein above, is not decided in terms of instant order, petitioner shall not be compelled to join at transferred station in terms of impugned transfer order. Interim order, if any, stands vacated. Pending applications, if any, stand disposed of.”

And whereas, as per the direction passed by the Hon'ble High Court on 27.6.2025, petitioner was called to appear in person on dated 07.07.2025. During the course of hearing, petitioner has requested that due to her serious ailment it is not possible to join at transferred station which is not a considerable distance and also does not have adequate medical facilities as she has been diagnosed with cancer and requires constant and good treatment. She has requested that keeping in view of her medical condition she may kindly be adjusted in a convenient station in Shimla city or the O/o Directorate of School Education or the O/o Dy. Director of Higher Education, Shimla or GSSS Boileauganj or DIET Shimla at Shamlaghat, Distt. Shimla against vacancy.


And whereas, that the matter has been examined and found that there is no equivalent/ higher post lying vacant in the O/o Directorate of School Education/Dy. Director of Higher Education, Shimla against which petitioner can be adjusted and also there is no vacant post of Lecturer (English) in Shimla city.

Now therefore, after taking into account the above facts and circumstances of the case, representation of petitioner is considered on medical condition being a cancer patient the petitioner Smt. Jyoti, Lecturer (School-New) (English) who is under order of transfer from GSSS Khalini (SML) to GSSS Kaloti (SML) is being retained at GSSS Khalini (SML) without TTA/JT and Sh. Parmesh Kumar, Lecturer (School-New) (English) who is under orders of transfer from GSSS Kaloti (SML) to GSSS Khalini (SML) is hereby adjusted in DIET Shimla at Shamlaghat (SML) against vacant post of Lecturer (English) with TTA/JT.

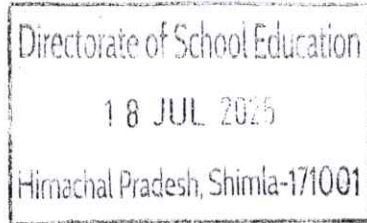
With these observations, representation stands disposed of.


Regd.

Smt. Jyoti, Lecturer (English),
GSSS Khalini, Distt. Shimla, HP.


Director School Education
Himachal Pradesh.

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Copy is forwarded to the following for information and necessary action please:-
1. Director, State Project (Samagra Shiksha), HP, Shimla-01.
 2. The Deputy Director of Higher Education, Shimla, Distt. Shimla, H.P.
 3. The Principal, DIET Shimla/GSSS Khalini/Kaloti, Distt. Shimla, HP.
 4. Supdt. Legal Cell, DSE in view of CWP No. 5179/2025.
 5. Sh. Parmesh Kumar, Lect. (SN) English, GSSS Kaloti, Distt. Shimla, HP.
 6. Incharge, IT Cell, DSE to upload the said orders on official website.
 7. Guard File.




Director School Education
Himachal Pradesh.