

Aug, 2025

In the matter of: CWP No. 3215/2025- titled as Rakesh Kumar, Vs. State of H.P. and others.

Whereas, Rakesh Kumar, TGT (NM) presently working in GHS Kuthera-Kherla, Distt. Una has filed CWP. No. 3215/2025- titled as Rakesh Kumar, Vs. State of H.P. and others before the Hon'ble High Court, seeking the relief that he may be adjusted to one of the stations of his choice in Distt. Una. The case of the petitioner was listed before the Hon'ble High Court on 04.04.2025 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"5. However, having taken note of the fact that the petitioner's mother is suffering from cancer, coupled with the fact that petitioner has already filed representation to the competent authority for cancellation of his transfer order on medical grounds, this Court deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the pending representation (Annexure P-5) of the petitioner expeditiously, preferably within a period of one week. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioner and pass detailed speaking order thereupon taking note of the transfer policy, which admittedly provides for transfer of an employee on account of adverse family circumstances/ medical grounds. Till the time, representation filed by the petitioner is not decided in terms of instant order, interim order dated 7.3.2025 shall remain in force, whereafter relieving of. No.4 from GMS Ghat-Muhath u/s Government Senior Secondary School, Panjain, Block Seraj-II, Tehsil Balichowki, District Mandi, Himachal Pradesh shall not be delayed on account of nonjoining of petitioner, rather she shall be relived immediately, enabling her to join at the transferred station. Pending applications, if any, also stand disposed of."

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 07.08.2025 by the undersigned and the petitioner attended the personal hearing on scheduled date and time and was heard at length. During the course of hearing, the petitioner requested that he may be adjusted at GSSS Basal or GSSS Takarla or GSSS Suri or GMS Bhera u/c GSSS Dhusara or GMS panjavar u/c GSSS Panjavar or GHS Thaplan u/c GSSS Kaloh, Distt. Una against longer stayee or against vacancy being caused due to promotion of TGTs.

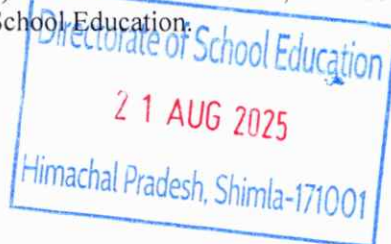
After perusal of the relevant record, it is revealed that the petitioner was transferred from GHS Kuthera-Kherla, u/c GSSS Thathal Amb, Distt. Una to Ghet-Muheth, u/c GSSS Panjai, Distt. Mandi vide order dated 03.03.2025 in view of CWP 45/2025-titled as Anchal, V/s State of H.P. & others. At present, vacancies are not available in the above mentioned schools where petitioner requested for transfer. As per provision contained in Comprehensive Guidelines Principles-2013 for regulating the transfer of State Government employees. It is specifically mentioned in Para 12.1 "Transfer to a particular place of choice cannot be claimed 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, hence the request of the petitioner cannot be acceded.

DIRECTOR

EndstNo:- Even dated Shimla-1, the Aug,2025

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

1. The District Attorney (Edu) Dte. of Scl. Edu. Shimla for information please.
2. The Deputy Director of Elem. Education, Una/Mandi(H.P.).
3. The Principal, GHS Kuthera-Kherla, u/c GSSS Thathal Amb, Distt. Una / Ghet-Muheth, u/c GSSS Panjai, Distt. Mandi, H.P.
4. Sh. Rakesh Kumar TGT (NM) at GHS Kuthera-Kherla, u/c GSSS Thathal Amb, Distt. Una H.P.
5. Incharge (IT) Directorate of School Education.
6. Guard File.



DIRECTOR