

Sep, 2025

In the matter of: CWP No. 14185/2025- titled as Saroj Kumar TGT (NM), Vs. State of H.P. and others.

Whereas, Saroj kumari, TGT (NM) previously working in GHS Kand u/c GSSS Dari, Distt. Kangra has filed CWP. No. 14185/2025- titled as Saroj Kumar, Vs. State of H.P. and others before the Hon'ble High Court, seeking the relief that she may be adjusted at one of the station at her choice in Distt. Kangra. The case of the petitioner was listed before the Hon'ble High Court on 02.09.2025 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"Having carefully perused material adduced on record, vis-avis order laid challenge in the instant proceedings, this Court finds that petitioner has already completed normal tenure of posting at GHS Kand, District Kangra and as such, no illegality can be said to have been committed by the respondents while transferring her from afore station to District Chamba, however, having taken note of the fact that petitioner's husband is also working in GSSS Dheera, District Kangra, coupled with the fact that Transfer Policy, formulated by the Government of Himachal Pradesh, enables an employee to seek transfer on the ground of couple case, this Court, without going into the merits of the case, deems it fit to dispose of the present petition, reserving liberty to the petitioner to file representation to the competent authority within a period of two days, praying therein for her adjustment at convenient station, on the ground of couple case, which shall be decided by the afore authority expeditiously, preferably, within a period of two weeks. 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 thereupon taking note of Transfer Policy, which certainly enables an employee to seek transfer or adjustment at a convenient station, on the ground of couple case. Till the time, representation, if filed within a period of two days, is not decided by the competent authority in terms of instant order, petitioner shall not be compelled to join at the transferred station. Pending application(s), if any, also stands disposed of."

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 09.09.2025 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 she may be adjusted at GHS Kotwali Baxar or GMS Kadahpura u/c GSSS Dhaloon or GSSS Chandpur or GMS Patti u/c GSSS Rajpur, Distt. Kangra against vacancy or against longer stayee.

From the perusal of record, it is found that Smt. Saroj Kumari TGT (NM) was transferred from GHS Kand u/c GSSS Dari, Distt Kangra to GMS Uchka u/c GSSS Lylh Distt. Chamba vide order dated 28.08.2025 in view of CWP No. 12231/2925. Smt. Saroj Kumari, TGT (NM) has not previously served in a hard or tribal area. The Hon'ble High Court's judgment in CWP No. 10255/2025, titled Bharti Rathour Vs. State of HP, the Hon'ble High Court emphasized that all departments must ensure that each employee is assigned to a sub-cadre or tribal area at least once during their service career.

In view of above narrated facts and 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." Therefore, being a State cadre Government employee, the request of the petitioner is not tenable and hereby rejected. The representation of the petitioner with the present CWP is disposed of accordingly.

DIRECTOR
Sep, 2025

EndstNo:- Even dated Shimla-1, the
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 School Education, (Elem.) Hamirpur (H.P.).
3. The Principal, GSSS Dari, Distt. Kangra (H.P.)
4. Smt. Saroj Kumari TGT (NM) at GHS Kand u/c GSSS Dari, Distt. Kangra
5. Incharge (IT) Directorate of School Education.
6. Guard File.

DIRECTOR

