

EDN-(SE)-H (7)2025 (Court Case) (Med.)
Directorate of Elementary Education
Himachal Pradesh Lalpani , Shimla-1
Dated: Shimla-171001 the
ORDER.

October, 2025

In the matter : CWP No. 14752/2025 titled as Kamal Raj Kapila, TGT(Med) VS State of H.P. & others.

The Petitioner Sh. Kamal Raj Kapila, TGT(Med)) filed CWP No. 14752/2025 titled as, Sh. Kamal Raj Kapila, TGT(Med) Vs State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GHS, Padhechi u/c PM Sh. GSSS, Koti Distt. (Sml.) to GSSS, Bhukkar /GSSS, Bhareri/GHS, Nagrota/GHS Dhamrol District Hamirpur. The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 12.09.2025, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

"Having regard to the above submissions, but without examining the merits of the matter, the instant writ petition is disposed of by directing the respondents/competent authority to consider and decide the aforesaid representation of the petitioner, in accordance with law, within a period of two weeks from today. The order so passed be also communicated to the petitioner. Pending miscellaneous application(s), if any shall also stand disposed of."

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 14.10.2025. The petitioner attended the personal hearing on scheduled date and time. During personal hearing he has requested to adjust him at above mentioned school in Distt. Hamirpur.

From perusal of the record, it is observed that Sh. Kamal Raj Kapila, TGT (Medical), has been serving at GHS, Padechi Distt. Shimla since 22.09.2021. He has completed the normal tenure at his current place of posting which falls in the soft area. Sh. Kamal Raj Kapila has requested for adjustment at GSSS, Bhukkar /GSSS, Bhareri/GHS, Nagrota/GHS Dhamrol District Hamirpur. However, at present, no vacancy exists for the post of TGT (Medical) in these schools. Moreover, considering the ongoing academic session, a transfer of a longer stayee at this time may adversely affect the academic progress of the students.

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 Govt., to post/transfer any employee anywhere in the state, keeping in view of the administrative exigencies/convenience. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer cannot be considered at this stage. Hence, request made by the petitioner is hereby rejected. The representation of the petitioner is disposed of accordingly.

18 OCT 2025

DIRECTOR
October, 2025

Endst No. Even dated, Shimla-1, the

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. 14752/2025.
3. The Principal, GHS/GSSS Koti Distt. (Shimla.), H.P.
4. Sh. Kamal Raj Kapila, TGT (Med.) GHS, Padechi u/c GSSS, Koti Distt (Shimla.) H.P.
5. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1.
6. Guard file.

DIRECTOR