

No. EDN-HE (26) B(6) 20/2025

Directorate of Higher Education
Himachal Pradesh, Shimla-171001

Directorate of School Education
25 JUL 2025
Himachal Pradesh, Shimla-171001

Dated: Shimla-1, the _____

"ORDER"

Whereas the petitioner Sh. Ashok Kumar, Lect./Lect.(SN) Chemistry was transferred from GSSS Gandhir, (Bilaspur) to GSSS Chakoh, (Bilaspur) vice Sh. Suresh Kumar, Lect./Lect.(SN) Chemistry & vice versa earlier issued on dated 14.05.2025. Feeling aggrieved he filed CWP No 8099/2025 titled as Ashok Kumar Vs State of H.P before the Hon'ble High Court. This petition was listed before Hon'ble High Court on dated 16.05.2025 when the same was finally disposed with the directions to respondents as under:-

"Having regard to the nature of prayer and order proposed to be passed in the instant petition, this Court sees no necessary to call for the reply from the respondents, who are otherwise represented by Mr. Vishal Panwar, learned Additional Advocate General, fairly states that petitioner has not completed normal tenure of posting at present place of posting. He states that petitioner has served at present place of posting for more than 20 months, but he has remained posted within aradius of 30 Kms from the present place of posting foe so many years and as such, no illegality can be said to have been committed by the respondents, while passing impugned transfer order, petitioner has been transferred at distance of 19 Kms. Having taken note of the fact that petitioner has already completed normal tenure of posting, this Court sees no reason to interfere withj the impugned transfer order and as such, same is upheld. However, having taken note of fact that petitioner's wife is also working in District Bilaspur, coupled with the fact that there is a provision contained in the Transfer Policy to transfer an employee to a convenient station in case of couple cases, this Court deems it fit to dispose of the present petition with a direction to the respondents to consider and decide th representation of the petitioner (Annexure P-2) expeditiously, preferably within a period of three 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 taking note of observations made hereinabove as well as Transfer Poolicy. 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. Pending applications, if any, stand disposed of..

And whereas upon passing of above directions, the representation of petitioner has been perused and examined and it has been observed that he has requested for his transfer order may be cancel and allow him to continue serve at GSSS Gandhir,(Bilaspur) till the completion of his normal tenure.

And whereas as per direction passed by the Hon' ble High Court as above, the applicant was called to appear in this office for personal hearing on 21.07.2025 and was present on this date. During the course of hearing the applicant has pleaded that his relief as though the petitioner parents is old aged and suffering from different age related health issues and his wife also serving in the same department, presently posted at GSSS Salwar, (Bilaspur) which is nearly 50 Kms from her native place due to which there is no one to take care of hi parents.

And whereas, as per para 12.1 of "Comprehensive Guiding Principles-2013" the transfer of the Government employees, it is clearly mentioned that no Government employee can claim her 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.

And whereas, now therefore, after taking into account the above discussed facts and circumstances of the case, the request of the petitioner has been considered and rejected on the ground that petitioner is posted at soft area station/ within home district and in the interest of students his services are urgently required in the present place of posting, as well as the petitioner has already been joined at GSSS Chakoh, Distt. Bilaspur, hence, his transfer order dated 14.05.2025 shall stand. Accordingly representation in r/o petitioner i.e Sh. Ashok Kumar, Lect./ Lect. (SN) Chemistry stand disposed.

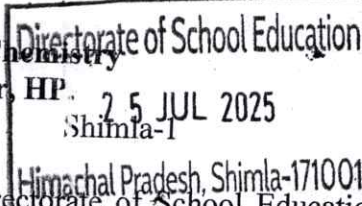
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Director School Education
Himachal Pradesh

Regd.

**1. Sh. Ashok Kumar, Lect./Lect.(SN) Chemistry
Govt. Sr. Sec. School Chakoh, Distt. Bilaspur, HP.**

Endst No. Even

dated:



Copy for information to:

2. The District Attorney (Education) Directorate of School Education, in reference to C WP No. 8099/2025-titled in the matter of Sh. Ashok Kumar Vs State of H.P. & others and in apprise to Hon'ble High Court to accordingly please.
3. The Deputy Director of Higher Education Bilaspur.
4. The Principal, GSSS Chakoh, (Bilaspur), HP.
5. The Supdt. Legal cell, Directorate of School Education, Shimla-1
6. The Incharge IT Cell, (DSE) to upload the said order on website.
7. Sh. Ashok Kumar (Petitioner), Lect./Lect.(SN) Chemistry, GSSS Chakoh, (Bilaspur)
8. Guard file.

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Director School Education
Himachal Pradesh

10/7/25
S. S. S. S. S.