

No: EDN-H(2)B(6)1-18/2025(Arts)-Court Case
Directorate of School Education,
Lalpani-Shimla-1 Himachal Pradesh.
Dated Shimla-171001 the

July, 2025

ORDER

In the matter of: CWP No. 10827/2025-titled as Santosh Kumar, TGT (Arts) V/s.
State of Himachal Pradesh.

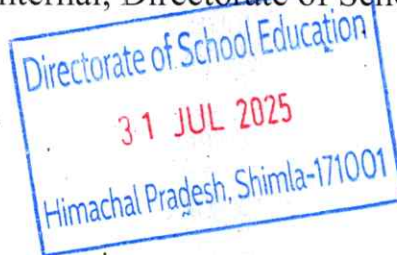
In continuation to this office letter No. even dated 25.7.2025 and in compliance with the orders/judgment in CWP NO. 10827/2025 passed by the Hon'ble High Court of Himachal Pradesh, the petitioner representation dated 29.7.2025 is re-considered sympathetically and the petitioner Sh. Santosh Kumar, TGT (Arts), under transfer from GSSS Daulatpur Distt. Kangra to GSSS Basadhar, Distt. Shimla is hereby transfer/adjusted at GMS Tikkri u/c GSSS Khargat Distt. Chamba against vacancy. The representation of the petitioner in the present CWP stands disposed of accordingly.

S.H.
DIRECTOR
School Education
Himachal Pradesh, Shimla

Endst No. Even dated, Shimla-1, the July, 2025.

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

1. The District Attorney (Edu) Dte. of School Edu. w. r. t. CWP No. 10827/2025.
2. The Deputy Director of Elementary Education Kangra/Chamba, H.P.
3. The Principal/Headmaster, GSSS Daulatpur Distt Kangra/GSSS Khargat Distt. Chamba
4. Sh. Santosh Kumar, TGT (Arts) posted at GSSS Daulatpur Distt Kangra HP.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.



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DIRECTOR
School Education
Himachal Pradesh, Shimla

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ORDER

In the matter of: CWP No. 10024/2025-titled as Monika Dhiman, TGT (Arts) V/s. State of Himachal Pradesh.

In compliance with the orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner representation is considered sympathetically and ~~Sh. Monika Dhiman~~ Monika Dhiman, TGT (Arts), who is under transfer from GSSS Dharampur Distt. Una to GSSS Bhutti Distt. Shimla, is hereby adjusted at GHS Bangarh u/c GSSS Jakhera Distt. Una against vacancy. The representation of the petitioner in the present CWP stands disposed of accordingly.

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DIRECTOR
School Education
Himachal Pradesh, Shimla

Endst No. Even dated, Shimla-1, the July, 2025

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

1. The District Attorney (Edu) Dte. of School Edu. w. r. t. CWP No. 10024/2025.
2. The Deputy Director of Elementary Education, Una/Shimla, H.P.
3. The Principal/Headmaster, GSSS Dharampur/ GSSS Jakhera Distt. Una/ GSSS Bhutti Distt. Shimla
4. Sh. Monika Dhiman, TGT (Arts) GSSS Dharampur Distt. Una H.P.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.



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DIRECTOR
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Himachal Pradesh, Shimla

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Dated Shimla-171001 the



ORDER

In the matter of: CWP No. 7971/2025-titled as Yashwant Singh V/s State of Himachal Pradesh.


Sh. Yashwant Singh, TGT (Arts) is under order of transfer from GSSS Sandhole Distt Mandi to GSSS Kuthar Distt. Shimla. Feeling aggrieved Sh. Yashwant Singh, TGT (Arts) has preferred present CWP No. 7971/2025 in the Hon'ble High Court against his transfer. The same was disposed of on 15.5.2025. The operative portion of the Judgment is as under:-

“...However, having taken note of the fact that petitioner is left with one year one month service, coupled with the fact that transfer policy formulated by Government of Himachal Pradesh, enables an employee nearing retirement to seek transfer/ adjustment at a station of his choice, this Court 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 one week, praying therein for cancellation of his transfer order/adjustment at nearby station, which in turn, shall be decided by the competent authority 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 appropriate order thereupon, taking note of the transfer policy. Till the time representation, if any, filed by the petitioner within a period of one week is not decided by the competent authority, petitioner shall not be compelled to join at the transferred station.”

In compliance of the order/judgment passed by the Hon'ble High Court of Himachal Pradesh in CWP No. 7971/2025-titled as Yashwant Singh, TGT (Arts) V/s State of H.P., the petitioner was called for personal hearing on 26-06-2025 and appeared before the undersigned on scheduled date. During the course of hearing the petitioner has requesting that he may be retained at GSSS Sandhole Distt Mandi as he is on the verge of retirement.

From the perusal of record, it is found that Sh. Yashwant Singh, TGT (Arts) transfer order was issued on dated 09.05.2025 from GSSS Sandhole Distt Mandi to GSSS Kuthar Distt. Shimla vice Parmil Kumar, TGT (Arts) and petitioner (Sh. Yashwant Singh) retirement is due within a period of less than two years as his DOB is 08.06.1968.

Keeping in view of above narrated facts, the representation of the petitioner is considered and examined sympathically. Since the petitioner has left less than two years to retire and as per transfer policy Para No.5 sub para 5.5 the request of the petitioner be considered and the transfer order issued vide this Directorate letter dated 09.5.2025 at Sr. No. 03 and 04 is/are hereby withdrawn/cancelled. The representation of the petitioner with the present CWP is disposed of accordingly.



**DIRECTOR
School Education
Himachal Pradesh, Shimla**

Endst No. Even dated, Shimla-1, the July, 2025

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

1. The District Attorney (Edu) Legal Cell (Upper) Dte. of School Edu. w. r. t. CWP No. 7971/2025.
2. The Deputy Director of Elementary Education, Mandi/Shimla, H.P.
3. The Principal/Headmaster, GSSS Sandhole Distt Mandi/GSSS Kuthar Distt. Shimla H.P.
4. Sh. Yashwant Singh, TGT (Arts) posted at GSSS Sandhole Distt Mandi H.P.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.




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Dated Shimla-171001 the

Directorate of School Education

31 JUL 2025

Himachal Pradesh, Shimla-171001

July, 2025

ORDER

In the matter of:- CWP No11211/2025-titled as Rakesh Chand, TGT (Arts) V/s. State of HP.


The petitioner Sh. Rakesh Chand, TGT (Arts) transfer order was issued on dated 03.06.2025 from GSSS Kharwar Distt Hamirpur to GHS Mahipur u/c GSSS Bechar Ka Bagh Distt. Sirmour. Feeling aggrieved, he has filed present case in the Hon'ble High Court of HP and sought his adjustment. The case was listed before the Hon'ble High Court of H.P. on 11.07.2025, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

“.....the petitioner would be satisfied in case respondent No. 2/competent authority is directed to consider and decide the aforesaid representation within a time bound schedule. Learned Additional Advocate General is not averse to this prayer. In view of the above, this writ petition is disposed of with direction to respondent No. 2/competent authority to consider and decide the aforesaid representation of the petitioner dated 02.07.2025 (Annexure P-2) in accordance with law and applicable transfer policy, within a period of two weeks from today. The decision so arrived at shall also be communicated to the petitioner.”

In compliance with the orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner was called for a personal hearing on dated 18.7.2025 and appeared before the undersigned on the scheduled date. The petitioner (Sh. Rakesh Chand, TGT (Arts) has requested adjustment either at GMS Jatt Beli u/c GSSS Thakurdwara (Kangra)/GSSS Kinnu (Una)/GSSS Mandli (Una), citing that he has completed normal tenure of posting & his wife is also working as LT in Education department.

From the perusal of record, it is found that Sh. Rakesh Chand, TGT (Arts) has been posted at from GSSS Kharwar Distt Hamirpur w.e.f. 15.9.2022 and serving within the radius of 30 Kms. The transfer order of Sh. Rakesh Chand, TGT (Arts) from GSSS Kharwar Distt Hamirpur to GHS Mahipur u/c GSSS Bechar Ka Bagh Distt. Sirmour, by clubbing his previous place of posting/tenure. It is important to highlight that the student enrollment at GHS Mahipur stands at 92, and the institution is classified as a soft area within District Shimla. Furthermore, Sh. Rakesh Chand, TGT (Arts) has not previously served in a hard or tribal area. The Hon'ble High Court's judgment in CWP No. 2734/2024, titled Monika Katna Vs. State of HP, upheld the legality and validity of the office memorandum dated 27.10.2023, which provides for the clubbing of stay for transfer purposes. The Court clarified that such clubbing is not contrary to Clause-10 of the Transfer Policy of the State Government. Additionally, 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
School Education
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the

July, 2025


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

1. The District Attorney (Edu) Dte. of School Edu. w. r. t. CWP No. 11211/2025.
2. The Deputy Director of School Education, Kangra/Shimla, H.P.
3. The Principal/Headmaster, GSSS Kharwar Distt Hamirpur/GSSS Bechar Ka Bagh Distt, Sirmour,.
4. Sh. Rakesh Chand, TGT (Arts) GSSS Kharwar Distt Hamirpur H.P.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.

Directorate of School Education

31 JUL 2025

Himachal Pradesh, Shimla-171001


DIRECTOR
School Education
Himachal Pradesh, Shimla