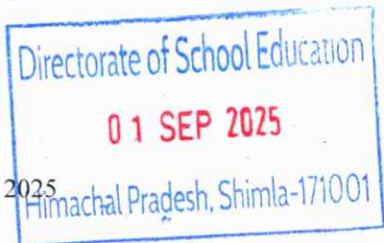


No: EDN-H(2)B(6)1-18/2025(Arts)-Court Case
Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.
Dated Shimla-171001 the

August, 2025



ORDER

In the matter of:-

CWP No. 13011/2025-titled as Rakesh Kumar, TGT (Arts) V/s. State of HP.

The petitioner has filed present CWP in the Hon'ble High Court of HP against this Directorate office order dated.06.08.2025 vide which petitioner was transferred from GMS Jol u/c GSSS Dangar Distt. Bilaspur to GMS Dho u/c GHS Kanjian Distt Hamirpur. The case was listed before the Hon'ble High Court of H.P. on 12.08.2025 on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:

".....However, having taken note of the medical condition as well as adverse family circumstances of the petitioner, as have been detailed in the representation (Annexure P-2), this Court without going into the merits of the case, deems it fit to dispose of the present petition with direction to the respondents to consider and decide the representation sympathically, expeditiously, preferably, within ten days. 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 a speaking order taking note of the transfer policy, which certainly enables an employee to seek transfer/adjustment at a convenient place on the ground of adverse family circumstances as well as medical condition. Till the time representation is decided by the competent authority, petitioner shall not be compelled to join at the transferred station."

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 28.08.2025 and appeared before the undersigned on the scheduled date. The petitioner (Sh. Rakesh Kumar, TGT (Arts) has requested that he is suffering from (L) renal calculus and under medical treatment and having adverse family circumstances of the petitioner therefore sought his adjustment either at GSSS Rishikesh Distt. Bilaspur, GMS Selli u/c Bani Materni Distt. Solan/ GMS Dhararsani u/c GSSS Rishikesh Distt Bilaspur.

From the perusal of record, it is found that Sh. Rakesh Kumar, TGT (Arts) transfer order was issued from GMS Jol u/c GSSS Dangar Distt. Bilaspur to GMS Dho u/c GHS Kanjian Distt Hamirpur by clubbing his previous posting stay within the radius of 30 Kms. vice Smt. Paramjeet, TGT (Arts) on dated 06.08.2025. At present one post of TGT (Arts) is lying vacant in GSSS Rishikesh Distt. Bilaspur i.e. petitioner choice of School wherein 105 students are enrolled.


In view of above narrated circumstances, the representation of petitioner has been considered sympathically and the petitioner i.e. Sh. Rakesh Kumar, TGT (Arts) who is under transfer from GMS Jol u/c GSSS Dangar Distt. Bilaspur to GMS Dho u/c GHS Kanjian Distt Hamirpur is hereby transferred/adjusted at GSSS Rishikesh Distt. Bilaspur against vacancy (without TTA/JT). The representation of the petitioner in the present CWP stands disposed of. All the concerned be intimated accordingly.

Endst No.Even dated, Shimla-1, the

August, 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. 13011/2025.
2. The Deputy Director of School (Elementary) Education, Bilaspur/Hamirpur, H.P.
3. The Principal/Headmaster, GSSS Dangar Distt. Bilaspur/GHS Kanjian Distt Hamirpur/GSSS Rishikesh Distt. Bilaspur.
4. Sh. Rakesh Kumar, TGT (Arts) GMS Jol u/c GSSS Dangar Distt. Bilaspur H.P.
- ✓ 5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.


DIRECTOR
School Education

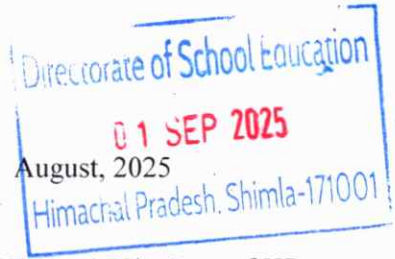
Himachal Pradesh, Shimla
Directorate of School Education

01 SEP 2025


DIRECTOR
School Education
Himachal Pradesh, Shimla

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

ORDER



In the matter of:- CWP No. 10117/2025-titled as Lata Thakur, TGT (Arts) V/s. State of HP.


The petitioner has filed present CWP in the Hon'ble High Court of HP against this Directorate office order dated 04.06.2025 vide which petitioner was transferred from GSSS Chandpur Distt Bilaspur to GHS Solag Jurasi u/c GSSS Dhar Tatoh Distt. Bilaspur. The case was listed before the Hon'ble High Court of H.P. on 29.07.2025 on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:

".....Consequently, in view of the above, this Court finds no reason to interfere with the impugned transfer order and as such, same is upheld. However, having taken note of adverse family circumstances, which came to be apprised to this Court during the proceedings of the case, this Court deems it fit to dispose of the present petition, reserving liberty to the petitioner to file representation to the competent authority for adjustment at a convenient station within a period of three days, which in turn, shall be decided by the competent 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 hearing to the petitioner and pass appropriate order."

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 28.08.2025 and appeared before the undersigned on the scheduled date. The petitioner (Smt. Lata Thakur, TGT (Arts) has requested that she has short stay at GSSS Chandpur Distt Bilaspur and adverse family circumstances therefore sought her adjustment either at GSSS Raghunathpura Distt Bilaspur, GSSS Rajwari Distt Mandi, GHS Mangrot Distt Bilaspur against vacancy caused due to promotion of TGT to Lect.

From the perusal of record, it is found that Smt. Lata Thakur, TGT (Arts) transfer order was issued from GSSS Chandpur Distt Bilaspur to GHS Solag Jurasi u/c GSSS Dhar Tatoh Distt. Bilaspur by clubbing her previous posting stay within the radius of 30 Kms. vice Smt. Amri Devi, TGT (Arts) on dated 04.06.2025. the institution i.e. GHS Solag Jurasi (Bilaspur) is classified as a soft area within District Bilaspur wherein 73 students are enrolled. At present no post of TGT (Arts) is lying vacant in the petitioner choice of Schools(one post of TGT (Arts) in GSSS Raghunathpura is surplus wherein 161 students are enrolled and two TGT (arts) has already posted). However, 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."

Now therefore, after taking into account the above narrated detail fact and circumstances, the request of the petitioner has been considered and rejected on the ground that petitioner was posted at soft area station and her transfer order was issued to a soft area and in the interest of students her services are urgently required in GHS Solag Jurasi Distt. Bilaspur. Hence, in view of ongoing facts, representation of the petitioner has been rejected and stands disposed of. All the concerned are intimated accordingly.

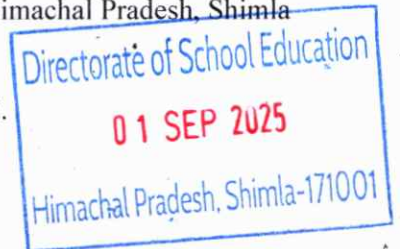

DIRECTOR
School Education
Himachal Pradesh, Shimla


Endst No.Even dated, Shimla-1, the

August, 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. 10117/2025.
2. The Deputy Director of School (Elem.) Education, Bilaspur, H.P.
3. The Principal/Headmaster, GSSS Chandpur/GSSS Dhar Tatoh Distt. Bilaspur.
4. Smt. Lata Thakur, TGT (Arts) GSSS Chandpur Distt Bilaspur H.P.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.




DIRECTOR
School Education
Himachal Pradesh, Shimla