

EDN-Ele-H (III) CWP No. 9514/2025-MND

Directorate of School Education

Dated Shimla-171001, the July, 2025

**ORDER**

In the Matter of: -

CWP No. 9514 of 2025 – Shalini Dhiman, LT Vs State of HP &amp; anr.

Whereas, Shalini Dhiman, LT under orders of transfer from GSSS Kolni Dhalwan, Distt. Mandi to GSSS Sainj Bagra, Distt. Mandi, H.P. has filed CWP No. 9514/2025 – titled as Shalini Dhiman, LT Vs State of HP & anr. before the Hon'ble High Court of HP. The Hon'ble High Court of HP has disposed off above court case on 17.06.2025. Operative part of the Judgment is as under: -

*"4. Having taken note of the fact that petitioner has almost completed normal tenure of posting at present station, coupled with the fact that she remained posted within the radius of 30 kilometers since 2019, there appears to be no justification for this Court to interfere with the impugned transfer order, which otherwise appears to have been passed in terms of Transfer Policy, formulated by the Government of Himachal Pradesh. Moreover, learned counsel representing the petitioner has not been able to dispute that judgment rendered by Coordinate Bench of this Court in Anurag Chadha (supra) has been overruled by Division Bench of this Court in Monika Katna's case (supra), as such, argument raised by him with regard to clubbing of previous posting is not sustainable in the eye of law, however, having taken note of the fact that petitioner herein is having seven months pregnancy, this Court deems it fit to dispose of the present petition with the direction to respondents to consider and decide her pending representation (Annexure P-4), expeditiously, preferably, within a period of ten days. 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/adjustment at a convenient station on account of adverse family circumstances. Till the time, representation, as detailed hereinabove, is not decided by the competent authority, petitioner shall not be compelled to join at the transferred station.*

*The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any."*

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 23.06.2025 by the undersigned and the petitioner attended the personal hearing on the scheduled date & time and was heard at length. During the course of hearing, the petitioner who is under orders to transfer from GSSS Kolni Dhalwan, Distt. Mandi to GSSS Sainj Bagra, Distt. Mandi, H.P. requested to modify her transfer orders.

After perusal of the relevant record, it reveals that the petitioner was transferred from GSSS Kolni Dhalwan, Distt. Mandi to GSSS Sainj Bagra, Distt. Mandi, H.P. vide Dy. Director of Elementary Education, Mandi order No. EDN-MND(E-III)B-Tfr(C&V)-185/2025 dated 03.06.2025 with the prior approval of the competent authority. The enrollment of students is 102 at GSSS Sainj Bagra. Keeping in view the studies of the studying at GSSS Sainj Bagra, it shall not be feasible to transfer the petitioner because in the absence of Language Teacher the studies of students will be affected adversely. Also transfer to a particular place of choice cannot be claimed as a matter of right. It will be the discretion of the State Government to post/transfer any employee anywhere keeping of the administrative exigencies/convenience, hence the request of the petitioner cannot be acceded.

The representation of the petitioner is disposed of after due consideration. All the concerned intimated accordingly.

  
**DIRECTOR**

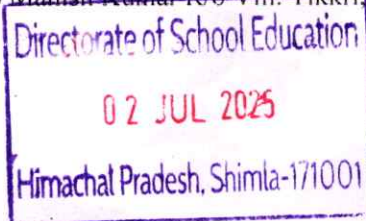
Endst. No. –as above

the

July, 2025

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

1. The Distt. Attorney, Directorate of School Education, HP, Shimla.
2. The Deputy Director of School (Elementary) Education, Mandi (HP).
3. The Principal, GSSS Sainj Bagra, Distt. Mandi, H.P. for information.
4. The Principal, GSSS Kolni Dhalwan, Distt. Mandi, H.P. for information.
5. Smt. Shalini Dhiman w/o Manish Kumar R/o Vill. Tikri, P.O & Teh. Ghumarwin, Distt. Bilaspur, H.P.
6. Guard File.


  
**DIRECTOR**