

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. 20863/2025-titled as Ramesh Kumar, TGT (Arts) V/s. State of HP.

The petitioner has filed present CWP No. 20863/2025 titled as Ramesh Kumar, TGT.(Arts) V/s State of H.P. in the Hon'ble High Court against her transfer order dated 14.07.2025 from GMS Naulakha under complex GSSS Mahadev Distt. Mandi to GHS Jachh Distt. Mandi vice Sh. Gurdass Ram, TGT (Arts) and vice versa and sought his adjustment. The case was listed before the Hon'ble High Court of H.P. on 28.07.2025 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 fact that petitioner is suffering from liver cancer as is evident from the documents adduced on record and his wife is also a Government employee, this Court, without into the merits of the case, deems it fit to dispose of the present petition reserving liberty to the petitioner to file representation to the competent within two days for cancellation of transfer/adjustment at a convenient station, which shall be decided by the competent authority within two 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 Transfer Policy formulated by the Government of Himachal Pradesh, which enables an employee to seek transfer/adjustment at a convenient station on medical grounds as well as on account of couple case. 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."

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 07.08.2025 and appeared before the undersigned on the scheduled date. The petitioner (Sh. Ramesh Kumar, TGT (Arts) has requested transfer/adjustment from GMS Bhour u/c GSSS Kanaid/ GSSS Bhangrotu/GSSS Majkheter/GSSS Kalahod Distt. Mandi, citing that he has chronicle disease (Liver Cancer) and is under treatment from PGI Chandigarh.

From the perusal of record, it is found that Sh. Ramesh Kumar, TGT (Arts) has been posted at GMS Naulakha under complex GSSS Mahadev Distt. Mandi w.e.f. 17.02.2023 and his transfer order was issued to GHS Jachh Distt. Mandi on dated 14.07.2025 by clubbing his previous posting stations tenure. At present no post of TGT (Arts) is/are lying vacant in the petitioner choice of Schools, however one Sh. Rakesh Kumar, TGT (Arts) is working at GHS Kalahod u/c G(G)SSS Sundernagar, Distt Mandi since 09.05.2022 and completed his normal tenure at present place of posting.

In view of the above circumstances, the representation of the petitioner has been considered sympathetically and the petitioner Sh. Ramesh Kumar, TGT (Arts) who is under order of transfer from GMS Naulakha under complex GSSS Mahadev Distt. Mandi to GHS Jachh Distt. Mandi HP is hereby adjusted at GHS Kalahod u/c G(G)SSS Sundernagar, Distt Mandi vice Sh. Rakesh Kumar, TGT (Arts) who may further be transferred to GHS Jachh Distt. Mandi, (with TTA/JT to Sh. Rakesh Kumar, TGT(Arts). The representation of the petitioner in the present CWP stands disposed of accordingly.

Sd/-
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. 20863/2025.
2. The Deputy Director of School Education, Mandi H.P.
3. The Principal/Headmaster, GSSS Mahadev/GHS Jachh/ GHS Kalahod u/c G(G)SSS Sundernagar, Distt Mandi
4. Sh. Ramesh Kumar, TGT (Arts) GMS Naulakha under complex GSSS Mahadev Distt. Mandi H.P.
5. The Nodal Officer (IT) internal, Directorate of School Education Shimla.
6. The Guard file.

