

July, 2025

In the matter of: CWP No. 3927/2025- titled as Ajay Kumar, Vs. State of H.P.
and others.

Whereas, Ajay Kumar, TGT (NM) presently working in GHS Seri u/c GSSS Pujarli-3, Distt. Shimla has filed CWP. No. 3927/2025- titled as Ajay Kumar, Vs. State of H.P. and others before the Hon'ble High Court, seeking the relief that he may be transferred from GHS Seri u/c GSSS Pujarli-3, Distt. Shimla to one of the stations of his choice in Distt. Kangra. The case of the petitioner was listed before the Hon'ble High Court on 20.03.2025 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"5. Consequently, in view of the above, this Court without going into the merits of the case, deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the pending representation (Annexure P-3) of the petitioner expeditiously, preferably within a period of four 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 detailed order thereupon taking note of transfer policy. Liberty is reserved to the petitioner to file appropriate proceedings in appropriate court of law, if he still remains aggrieved. Pending applications, if any, also stand disposed of."

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 25.04.2025 by the undersigned and the petitioner attended the personal hearing on scheduled date and time and was heard at length. During the course of hearing, the petitioner requested that he may be transferred from GHS Seri u/c GSSS Pujarli-3, Distt. Shimla to GMS Lachhun u/c GSSS Bankhandi or GSSS Kherian or GSSS Bhatoli Phakrian or GSSS Haripur or GHS Tripal u/c GMSSS Kathar Ranital Distt. Kangra against vacant post or longer stayee.

After perusal of the relevant record, it is revealed that the petitioner was appointed as TGT (NM) on contract basis on 26.02.2022 at GHS Seri u/c GSSS Pujarli-3, Distt. Shimla. Though the said teacher has completed his normal tenure of three years at GHS Seri u/c GSSS Pujarli-3, Distt. Shimla, but at present 38 students are studying there. GHS Seri u/c GSSS Pujarli-3 falls in soft area. Keeping in view the studies of the students studying at GHS Seri u/c GSSS Pujarli-3, Distt. Shimla it shall not be feasible to transfer the petitioner because in the absence of TGT (NM) the studies of students, will be affected adversely. 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 Government to post/transfer any employee anywhere in the State keeping in view 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 be intimated accordingly.

DIRECTOR

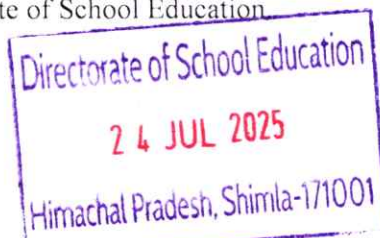
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dated Shimla-1, the

July, 2025

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

1. The District Attorney (Edu) Dte. of Sel. Edu. Shimla for information please.
2. The Deputy Director of Elem. Education, Shimla(H.P.).
3. The Principal, GHS Seri u/c GSSS Pujarli-3, Distt. Shimla H.P.
4. Sh. Ajay Kumar TGT (NM) at GHS Seri u/c GSSS Pujarli-3, Distt. Shimla H.P.
5. Incharge (IT) Directorate of School Education
5. Guard File.



DIRECTOR

July, 2025

In the matter of: CWP No. 7972/2025- titled as Anil Kumar, Vs. State of H.P.
and others.

Whereas, Anil Kumar, TGT (NM) previously working in GHS Kanerar Distt. Hamirpur has filed CWP. No. 7972/2025- titled as, Anil Kumar Vs. State of H.P. and others before the Hon'ble High Court, seeking the relief that he may be adjusted at GMS Kuthera Marhana u/c GSSS Bharari, Distt. Bilaspur to one of the stations of his choice in Distt. Hamirpur/Bilaspur/Solan. The case of the petitioner was listed before the Hon'ble High Court on 21.06.2025 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"With the above observation, this writ Petition is disposed of, vacating the interim order with directions to the respondents to permit respondent No.3 to join at GHS Kanerar, Distt. Hamirpur forthwith.

Till the decision of the petitioner's representation, the petitioner shall not be compelled to join at the Transferred station. He shall be at liberty to avail leave of kind due. It is further clarified that in case the petitioner fails to prefer the aforesaid representation within the stipulated period, the interim protection granted under this order shall be deemed to have been automatically vacated.

Pending miscellaneous application (s), if any, also to stand disposed of"

In compliance to the directions of the Hon'ble High Court, the petitioner was called for personal hearing on 23.07.2025 by the undersigned and the petitioner attended the personal hearing on scheduled date and time and was heard at length. During the course of hearing, the petitioner requested that he may be adjusted at GSSS Gahar u/c Dadhol, Distt. Bilaspur or GSSS Jandroo, Distt. Hamirpur or GMS Koon u/c GSSS Delgi, Distt. Solan or GMS Kuthera Marhana u/c GSSS Bharari, Distt. Bilaspur against vacancy being caused due to retirement of present incumbent or against vacancy or against longer stayee.

After perusal of the relevant record, it is revealed that the petitioner was transferred from GHS Kanerar, Distt. Hamirpur to GSSS Jadera, Distt. Chamba vide order dated 05.05.2025 with the prior approval of the competent authority. At present, one post of TGT (NM) is going to be vacant at GMS Kuthera Marhana u/c GSSS Bharari, Distt. Bilaspur on 31.07.2025 due to retirement of present incumbent.

Therefore, keeping in view the position stated above, the representation made by the petitioner is considered sympathetically and he is hereby adjusted at GMS Kuthera Marhana u/c GSSS Bharari, Distt. Bilaspur against vacancy being caused due to retirement of present incumbent on 31.07.2025, on his own request.

Therefore, the representation of the petitioner is disposed of after due consideration. All the concerned be intimated accordingly.

DIRECTOR
July, 2025

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

1. The District Attorney (Edu) Dte. of Scl. Edu. Shimla for information please.
2. The Deputy Director of Elem. Education, Hamirpur/Bilaspur (H.P.).
3. The Principal/Headmaster GMS Kuthera Marhana u/c GSSS Bharari, Distt. Bilaspur H.P.
4. Sh. Anil Kumar TGT (NM) GHS Kanerar, Distt. Hamirpur. H.P.
5. Incharge (IT) Directorate of School Education.
6. Guard File.



DIRECTOR