

EDN-H(2)B(6)1-18/2025 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001 the, June , 2025

ORDER.

In the matter : CWP No. 8314/2025 titled as Rajeev Kumar, TGT(Med) VS State of H.P. & others.

The Petitioner Sh. Rajeev Kumar, TGT(Med)) filed CWP No. 8314/2025 titled as, Sh. Rajeev Kumar, TGT(Med) Vs State of H.P. before the Hon'ble High Court of H.P. against his transfer from GSSS, Andora Distt. (Una.) to GSSS, Jhajja Kothi Distt. (Cba.) vice Smt. Poonam. The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 20.06.2025, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

*"Regarding above, the only observation that can be made is that it is for the petitioner to make a representation to the respondents about his difficulties in that regard. In case such a representation is so made, it is expected from the respondent to dispose of the same expeditiously, preferably within two weeks. However, by virtue of dismissal of the writ petition, interim order stands vacated. Respondent No.3 shall be permitted to join at her transferred place forthwith. Pending miscellaneous application(S), if any, also stand disposed of."*

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 21.06.2025. The petitioner attended the personal hearing on scheduled date and time. During personal hearing he has requested that the matter CWP No. 8314/2025 is under consideration. It is my humble request to adjust Miss. Poonam against any longer stayee/Vacant post instead of me by keeping in view of my son as well as mothers health issue.

From the perusal of the record, it reveals that on 20.06.2025 Hon'ble High Court has vacated the stay and permitted Smt. Poonam TGT (Med.) to join at her transferred station. Sh. Rajeev Kumar, TGT(Med) was working in GSSS, Andoura Distt. (Una.) Distt. (Una.) since 8.03.2024 and working within the radius. Moreover Sh. Rajeev Kumar, TGT (Med.) has not served the Hard Area. As per provision contained in comprehensive guidelines Principles-2013 for regulating the transfer of State Government employees. It is specifically mentioned in Para 12 "In view of the observations made by the Hon'ble high Court vide judgment dated 27.08.2007 in CWP No. 1105/2006 titled as Sushila Sharma, the Department may also ensure that every employee during his tenure of service, serves in Tribal/Hard Areas as well as Remote/Rural Areas.

Keeping in view, the above facts and circumstances, the case of the petitioner for transfer cannot be considered at this stage. Hence, request made by the petitioner is hereby rejected. The representation of the petitioner is disposed of accordingly.

DIRECTOR

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

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

1. The Secretary (Education) to the Govt. of Himachal Pradesh, Shimla-2
2. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 8314/2025.
3. The Deputy Director of Elementary Education, Una, H.P.
4. The Principal, GHS/GSSS Andora Distt. (Una.)/ JhajjaKothi District Chamba, H.P.
5. Sh. Rajeev Kumar, TGT (Med.) GSSS, Andora Distt (Una.) H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1.
7. Guard file.



DIRECTOR