

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

April, 2025

ORDER

In the matter of: CWP No. 3287/2025-titled as Smt. Pooja Kumari (TGT Med.) V/s State of Himachal Pradesh and others (Regarding Transfer).

Smt. Pooja Kumari, TGT (Med.) has filed CWP No. 3287/2025 titled as Pooja Kumari V/s. State of H.P. in the Hon'ble High Court, and seeking her transfer from GSSS, Marighat Distt. Sirmour to GHS, Jankour Distt. Una against longer stay or by clubbing their previous stay or any other any vacant post in Distt. Una. The case was listed before the Hon'ble High Court of H.P. on 10.03.2025, 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, 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) filed by the petitioner expeditiously, preferably within a period of two weeks from today. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, besides affording opportunity of being heard to the petitioner, shall also take note of Transfer Policy, which specifically talks about transfer on the ground of adverse family circumstances as well as stations mentioned in the petition, which are going to fall vacant in the near future and pass appropriate orders. Pending applications, if any, stand disposed of."

The petitioner i.e Smt. Pooja Kumari, TGT (Med.) was called for personal hearing on 29.03.2025 and heard at length. She has submitted fresh representation vide which she has stated that her husband is handicapped and recently transferred to faraway place and her family is facing problem as her son is also studying in Distt. Una. So due to her family circumstances she has requested to transfer her at GHS, Jankour Distt. Una against longer stayee or by clubbing their previous stay, or any other vacant post.

From the perusal of record, it is found that Smt. Pooja Kumari TGT (Med.) is working at GSSS, Jankour Distt. Una since 23.02.2022 and she has completed her normal tenure at present place of posting as per transfer policy. Keeping in view the position stated above, representation of the petitioner i.e Smt. Pooja Kumari, TGT (Med.) is considered sympathetically and petitioner is hereby transferred from GSSS, Marighat Distt. Sirmour to GHS, Jankour Distt. Una vice Smt. Satnam Kaur TGT (Med.) (By clubbing her previous stay) with TTA/JT to Smt. Satnam Kaur, TGT (Med.). Keeping in view the position stated above, representation of the petitioner i.e Smt. Pooja Kumari, TGT (Med.) is disposed of accordingly.

02 APR 2025
शिमला-1
DIRECTOR

Endst No. Even dated, Shimla-1, the April, 2025
Copy to the following for information and necessary action please:-

1. The District Attorney (Edu) Dte. of Elementary Edu. w. r. t. CWP No. 3287/2025.
2. The Deputy Director of Elementary Education, Sirmour/Una, H.P.
3. The Principal, GSSS, Marighat Distt. (Sirmour)/GHS, Jankour District Una, H.P.
4. Smt. Pooja Kumari, TGT (Med.) GSSS, Marighat Distt. Sirmour.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.

DIRECTOR

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

April, 2025

ORDER

In the matter of:

CWP No: 2147/2025-titled as Chinta Devi V/s. State of Himachal Pradesh (Regarding Transfer).

Smt. Chinta Devi, TGT (Med.) has filed CWP No. 2147/2025 titled as Chinta Devi V/s State of H.P. in the Hon'ble High Court, and seeking her transfer from GHS, Teel u/c GSSS, Mohini District Kullu to Distt. Mandi against vacancy or against any longer stayee. The case was listed before the Hon'ble High Court of H.P. on 28.02.2025, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under :-

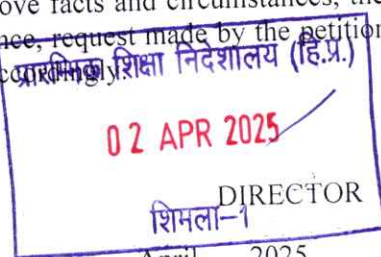
"Consequently, in view of the above, this Court without going into the merits of the case, deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the pending representation dated 28.12.2024 (Annexure P-1) of the petitioner expeditiously, preferably within a period of four weeks, taking note of the provisions, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioner and pass detailed to file appropriate proceeding in appropriate court of law, if she still remains aggrieved. Pending applications, if any, also stand disposed of."

In compliance to the aforesaid orders passed by the hon'ble High Court of Himachal Pradesh, the petitioner Smt. Chinta Devi, TGT (Med.) has attended the personal hearing on 29.03.2025 and has submitted representation, wherein request to transfer her from GHS, Teel Distt. Kullu to Distt. Mandi.

From the perusal of record, it is found that Smt. Chinta Devi, TGT (Med.) is working in GHS, Teel Distt. Mandi since September 2018 (Soft area) and has completed normal tenure at her present place of posting. Moreover, the petitioner is working in soft area and she is not entitled for transfer to choice station despite the fact that TGT's is State Cadre post and the incumbents are supposed to serve anywhere in the State.

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.

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.



Endst No.Even dated, Shimla-1, the

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. 2147/2025.
3. The Deputy Director of Elementary Education, Kullu, H.P.
4. The Principal, GSSS Mohini, District Kullu, H.P.
5. Smt. Chinta Devi, TGT (Med.) GHS, Teel u/c GSSS, Mohini Distt. Kullu H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1.
7. Guard file.

DIRECTOR