

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

ORDER

The petitioner has filed present CWP No. 12839/2024 titled as Surinder Kumar V/s State of H.P. in the Hon'ble High Court vide which seeking his transfer from GSSS Dhadi Rawat, District Shimla to GMS Jindwin Brahamna u/c GSSS Didwin, GMS Kiara Bagh u/c GSSS Garli, GHS Brahalri u/c GSSS Nalti, GHS Bhatara u/c GSSS Chauri or GSSS Nalti, District Hamirpur, against vacancy/longer stayee. The case was listed before the Hon'ble High Court of H.P. on 14-11-2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

"On the request of learned counsel for the petitioner, the petition is disposed of with the direction that let an appropriate order on the representation of the petitioner be passed by the Authority concerned within a period of six weeks from today. Pending miscellaneous application(s), if any also stand disposed of accordingly."

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner Sh. Surinder Kumar, TGT (Arts) has attended the personal hearing on 28-01-2025 and has submitted representation, wherein request to transfer him from GSSS Dhadi Rawat District Shimla to GMS Jindwin Brahamna u/c GSSS Didwin, GMS Kiara Bagh u/c GSSS Garli, GHS Brahalri u/c GSSS Nalti, GHS Bhatara u/c GSSS Chauri or GSSS Nalti, District Hamirpur, against vacancy/longer stayee.

From the perusal of record, it is found that Sh. Surinder Kumar, TGT (Arts) is working at GSSS Dhadi Rawat (soft area) District Shimla since 21-01-2019 wherein the enrollment of students is 28 (Aprx.). 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 "All employees during their period of service will serve for at least single tenure in the Tribal/difficult/ Hard area and remote/rural areas. 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." Therefore, being a State cadre Government employee, the request of the petitioner is not tenable and hereby rejected. The representation of the petitioner with the present CWP is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 12839/2024.
2. The Deputy Director of Elementary Education, Shimla, H.P.
3. The Principal, GSSS Dhadi Rawat, District Shimla, H.P.
4. Sh. Surinder Kumar, TGT (Arts) GSSS Dhadi Rawat, District Shimla, H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education H.P. Shimla-1.
6. The Guard file.

प्रारम्भिक शिक्षा निदेशालय (I)
03 FEB 2025
शिमला-1

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla