

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

In the matter of: CWP No: 3273/2025-titled as Manisha Koundal V/s. State of Himachal Pradesh (Regarding Transfer).

Smt. Manisha Koundal, TGT (Med.) has filed CWP No 3273/2025 titled as Manisha Koundal V/s State of H.P. in the Hon'ble High Court, and seeking her transfer from GSSS, Parotha District Chamba to GHS, Sutrahur U/c GSSS, Ganoh Distt. Kangra /GSSS, Sukhar/GHS, Gurial U/c GSSS, Raja Ka Talab Distt. (Kgr.)/GHS, Tikka Nagrota U/c Bhadwar Distt. (Kangra). The case was listed before the Hon'ble High Court of H.P. on 06.01.2025, 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, with a direction to the respondents to consider and decide the pending representation (Annexure P-1) filed by the petitioner expeditiously, preferably within a period of three weeks from today. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, beside affording opportunity of being heard to the petitioner, shall also take of provision contained in Transfer Policy and pass appropriate orders. Pending applications, if any, stand disposed of".

In compliance to the aforesaid orders passed by the hon'ble High Court of Himachal Pradesh, the petitioner Smt. Manisha Koundal, TGT (Med.) has attended the personal hearing on 07.05.2025 and has submitted representation, wherein request to transfer her from GSSS, Parotha Distt. Chamba to GHS, Sutrahur U/c GSSS, Ganoh Distt. Kangra /GSSS, Sukhar/GHS, Gurial U/c GSSS, Raja Ka Talab Distt. (Kgr.)/GHS, Tikka Nagrota U/c Bhadwar Distt. (Kangra).

From the perusal of record, it is found that Smt. Manisha Koundal, TGT (Med.) is working in GSSS, Parotha Distt. (Chamba) since 19.02.2022 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.

DIRECTOR

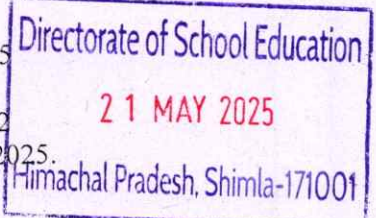
May, 2025

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. 3273/2025.
3. The Deputy Director of Elementary Education, Chamba, H.P.
4. The Principal, GSSS Parotha, District Chamba, H.P.
5. Smt. Manisha Koundal, TGT (Med.) GSSS, Parotha Distt. Chamba H.P.
6. The Nodal Officer (IT) internal, Dte. of School Education, Shimla-1.
7. 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
ORDER

May, 2025

In the matter of:

CWP No: 6102/2025-titled as Indra Devi V/s. State of Himachal Pradesh (Regarding Transfer).

Smt. Indra Devi, TGT (Med.) has filed CWP No 6102/2025 titled as Indra Devi V/s State of H.P. in the Hon'ble High Court, and seeking her transfer from GHS, Bhalan U/c GSSS, Behli Distt. Mandi to GSSS, Kashauhal, GSSS Shorshan Distt. Mandi against vacancy. The case was listed before the Hon'ble High Court of H.P. on 11.04.2025, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under :-

"Looking to the nature of the grievance raised in this writ petition, it would in the interest of justice to direct respondent No.2/competent authority to consider and decide the aforesaid representation(Annexure P-I) of the petitioner in accordance with law within a period."

In compliance to the aforesaid orders passed by the hon'ble High Court of Himachal Pradesh, the petitioner Smt. Indra Devi, TGT (Med.) has attended the personal hearing on 19.05.2025 and has submitted representation, wherein request to transfer her from from GHS, Bhalan U/c GSSS, Behli Distt. Mandi to GSSS, Kashauhal, GSSS Shorshan Distt. Mandi against vacancy.

From the perusal of record, it is found that Smt. Indra Devi, TGT (Med.) is working in GHS, Bhalan Distt. Mandi since 28.12.2021 (Soft area) and has completed normal tenure at her present place of posting. 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. Moreover the post of TGT (Med.) is not lying vacant in GSSS, Kashauhal, GSSS Shorshan Distt. Mandi and she is working within the District.

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.

DIRECTOR

May, 2025

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. 6102/2025
3. The Deputy Director of Elementary Education, Mandi, H.P.
4. The Principal, GHS, Bhalan U/c GSSS, Behli District Mandi, H.P.
5. Smt. Indra Devi, TGT (Med.) GHS, Bhalan Distt. Mandi H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1.
7. Guard file.

DIRECTOR

Directorate of School Education

21 MAY 2025

Himachal Pradesh, Shimla-171001