

**DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI SHIMLA**



Dated- Shimla-171001, the April, 2022.

In the matter of: CWP No. 1910/2022 titled as Neelam Sharma Vs. State of H.P. & Others.

Whereas, Smt. Neelam Sharma, TGT (NM) preferred CWP No. 1910/2022 titled as Neelam Sharma Vs. State of H.P. before the Hon'ble High Court of H.P. regarding her transfer from GMSSS Ambota District Una to GSSS Devamanal District Sirmour. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 2.4.2022 when the Hon'ble High Court has passed the following order

"2. Transfer is an incident of service. It is for the employer to consider the posting of an employee, the place thereof and the duration for which the employee is required to be posted at a particular place. The hardship(s), if any faced by an employee, can be considered by the employer in accordance with law and applicable policy for suitable adjustment of the employee.

In the facts and circumstances of the case, we close this writ petition reserving liberty to the petitioner to approach her employer/competent authority within one week from today for redressal of her abovementioned grievances and for her suitable adjustment indicating places of posting where she can be adjusted. On receipt of such representation, the same shall be considered by the respondent/competent authority within two weeks thereafter by passing a speaking order, in accordance with law. The copy of the order, so passed, shall also be communicated to the petitioner. Pending applications, if any, also stand disposed of."

In the compliance of the aforesaid orders passed by the Hon'ble High Court, the petitioner has submitted her representation in the office of respondent No. 2 on 5.4.2022 in which she has requested that she may kindly be adjusted at GSSS Bane-di-Hatti/GSSS Gagret/GSSS Kaloha District Una against longer in stay due to her adverse family circumstances as her twin sons aged seven years have been suffering from severe allergic bronchitis problem and under medical treatment since their birth in Markanda Hospital at Jalandher(Punjab).

From perusal of record, it has been found that the petitioner has been transferred from GMSSS Ambota District Una to GSSS Devamanal District Sirmour vice respondent No. 3 & vice-versa, with the prior approval of competent authority, on the completion of her normal tenure of three years. At present TGT(NM) are working in GSSS Gagret Distt. Una and GSSS Kaloh Distt. Una has not completed three years stay in their present place of posting. One Shri Vineet Kumar, TGT(NM) is working in GHS Bane-di-Hatti District Una since 28.3.2018 and has completed more than four years stay there. Keeping in view of the position stated above, the representation of the petitioner is considered sympathetically, and she is hereby adjusted, without TTA/JT at GHS Bane-di-Hatti District Una vice Shri Vineet Kumar, TGT(NM) and he is further transferred to GMS Nagar Swahan u/c GBSSSS Kunihar District Solan against vacancy, with TTA/JT. The representation of the petitioner is disposed of accordingly.

DIRECTOR

April, 2022

Endst:No:-EDN-H(2)B(6)1-18/2022-(NM)-dated, Shimla-1

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

1. The Distt. Attorney (Edu.) Directorate of Elementary Education, Shimla, H. P.
2. The Deputy Director of Education Una/Sirmour at Nahan/Solan (H.P.).
3. The Principal/Headmaster Govt. Sr. Sec. School Ambota (Una)/GSSS Devamanal

(Sirmour)/Bane-di-Hatti (Una) H.P.

4. Regd.) Neelam Sharma W/O Rakesh Sharma R/O Village Ubak P.O., Tehsil & District Hamirpur, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.


DIRECTOR

