

No: EDN-H (2) B (6)1-18/2022 (A)-Court Case

Directorate of Elementary Education,

Lalpani-Shimla-1 Himachal Pradesh.

Dated Shimla-171001 the

May, 2022

In the matter of: CWP No: 2735/2022-titled as Suresh Kumar, TGT (Arts)Vs. State of Himachal Pradesh & others .(Regarding Transfer)

Sh. Suresh Kumar, TGT (Arts) has filed CWP No. 2184/2022- before the Hon'ble High Court of H.P. regarding transfer from GSSS Bhatkidhar, Distt. Mandi. The case was listed on 05.05.2022, when the same has been disposed of with the following directions:-

*Respondent No.2 to consider and decide Annexure P-1 and P-2, dated 31.03.22 and 30.04.22, respectively, made by the petitioner, expeditiously, preferably within a period of two weeks. Needless to say, authority concerned while doing the needful, in terms of instant order, would not only afford opportunity of being heard to the petitioner, but would also take into consideration transfer policy formulated by Government of Himachal Pradesh as well as judgment dated 27.08.2007, passed by Division Bench of this Court in CWP No. 1105/2006, wherein respondent /State has been directed to ensure that all the employees are treated fairly and equally and every employee during his tenure of service in tribal/hard area and also remote/rural areas. Petitioner shall be at liberty to file proceedings before appropriate court of law, if he still remains aggrieved. The petition stands disposed of in the afore terms, alongwith all pending applications.*

In compliance of the aforesaid orders passed by the Hon'ble High Court, the petitioner i.e Sh. Suresh Kumar, TGT(Arts) was called for personal hearing on dated 19.05.2022, through video conference and he attended the same. During personal hearing he requested that due to adverse family circumstances he may kindly be transferred from GSSS Bhatkidhar, Distt. Mandi to GSSS Khakhriana, against vacancy, being caused due to retirement of present incumbent on 31.05.22 / GSSS Boys Bhangrotu/ GSSS Kolni Dhalwan, Distt. Mandi/ GSSS Jahu (Hamirpur) / GMS Dhanu u/c GSSS Sadhyani (Mandi).

From the perusal of record, it is found that Sh. Suresh Kumar, TGT(Arts) is working in GSSS Bhatkidhar, Distt.Mandi since 26.04.2016 and has completed six years at the present place of posting. The petitioner stated in his representation that his parents are suffering from various old age ailments and requested for transfer from GSSS Bhatkidhar, Distt.Mandi. At present posts of TGT (Arts) are not lying vacant in the above mentioned schools. One post of TGT (Arts) is going to be vacant at GSSS Khakhriana Distt. Mandi, being caused due to retirement of present incumbent on 31.05.2022.

Keeping in view the position stated above, representation of petitioner i.e Sh. Suresh Kumar, TGT (Arts) is considered sympathetically and he is hereby transferred from GSSS Bhatkidhar, Distt. Mandi to GSSS Khakhriana, Distt.Mandi, against vacancy, being caused due to retirement of present incumbent on 31.05.22, without TTA/JT. The petitioner will join after superannuation of present incumbent i.e. after 31.05.2022. Accordingly, his representation is decided.

प्रारम्भिक शिक्षा निदेशक (वि.प्र.)

30 MAY 2022

DIRECTOR

Endst No. EDN-H (2) B (6) 1-18/2022 (Arts) dated, Shimla-1, the

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

1. The District Attorney (Edu) Dte. of Ele. Edu. v. r. t.CWP No. 2735/2022.
2. The Deputy Director of Ele. Education, Mandi, H.P.
3. The Principal GSSS Bhatkidhar/ GSSS Khakhriana, Distt. Mandi, H.P.
4. Sh. Suresh Kumar, TGT(Arts) GSSS Bhatkidhar, Distt. Mandi, H.P.
5. The Nodal Officer (IT ) internal, Directorate of Elementary Education Shimla.
6. The Guard file.

DIRECTOR