

No.EDN-H(2)B(6)1-18/2020-21 (Court Case)

Directorate of Elementary Education
Himachal Pradesh Lalpani , Shimla-1
Dated: Shimla-171001 the,

August,2022.

ORDER

In the matter : CWP No. 5007/2022 titled as Kapil Choudhary ,TGT(Med) VS State of H.P. & others.

The Petitioner,Sh. Kapil Choudhary,TGT (Med), filed CWP No. 5007/2022 titled as, Kapil Choudhary, versus State of H.P. before the Hon'ble High Court of H.P.regarding his transfer from GSSS Samleu Distt. Chamba.The case of the petitioner was listed before the Hon'ble High Court, on 26th July,2022, when after hearing the matter, the Hon'ble High Court has disposed of the same with the direction to the respondent to transfer the petitioner from his present place of posting i.e.GSSS Samleu Distt, Chamba.The operative portion of the judgement is as under:-

"On the request learned counsel for the petitioner ,we permit the petitioner to make a representation to respondent No.2- the Director Elementary Education Himachal Pradesh.If such representation is made within one week ,the same shall be decided a per the transfer policy expeditiously,but not later than eight weeks from the date of receipt of the representation.

The writ petition to stand disposed of in the above terms,so also the pending miscellaneous application(s),if any."

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 10th August,2022.The petitioner attended the personal hearing on scheduled date and time. During personal hearing the petitioner has requested that he may be adjusted at GSSS Rait/GHS Bhanala against longer stayee / GSSS Tang Narwana / GHS Bhagsunag / GSSS Rajol Distt. Kangra against vacancy caused due to promotion of present incumbent. He has also stated that his father is a heart patient and has undergone open by pass surgery.As such there is no one in the family to look after the old and ailing father.

From the perusal of the record, it reveals that Sh. Kapil Choudhary,TGT(Med), has been working in GSSS Samleu (Dalhousie) Distt. Chamba since 05-07-2019 and has completed his normal tenure at present place of posting. Hence, the representation of the petitioner is considered sympathetically and he is hereby transferred from GSSS Samleu Distt. Chamba to GSSS Tang Narwana Distt. Kangra against vacancy being caused due to promotion of present incumbent .These orders will be implemented after the relieving of present incumbent who is going to be promoted. With these observations the representation of the petitioner is considered and disposed of accordingly.

प्राथमिक शिक्षा निदेशालय (वि.प्र.)
18 AUG 2022
शिमला

DIRECTOR

Endst. No. Even Dated Shimla-171001 August. 2022.
Copy for information is forwarded to:

- 1 The Distt. Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
- 2 The Deputy Director of Elementary Education, Kangra/Mandi H.P.
- 3 The Principal/Headmaster GSSS Samleu Distt. Chamba / GSSS Tang Narwana Distt. Kangra,H.P.
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.

DIRECTOR

17/08/2022

No.EDN-H(2)B(6)1-18/2020-21 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani, Shimla-1

Dated: Shimla-171001 the,

August, 2022.

ORDER

In the matter : CWP No. 4810/2022 titled as Sandeep Kumar, TGT(Med) VS State of H.P. & others.

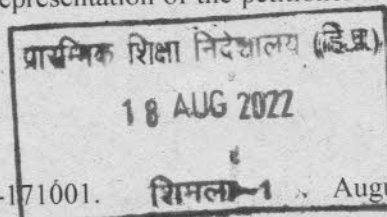
The Petitioner, Sh. Sandeep Kumar, TGT (Med), filed CWP No. 4810/2022 titled as, Sandeep Kumar, versus State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Lapas Distt. Mandi (Which fall under hard/Tribal area) to his choice of station after the completion of required tenure as per policy. The case of the petitioner was listed before the Hon'ble High Court, on 19th July, 2022, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions / order:

"The petitioner appears to have completed his normal tenure of service in the hard/sub cadre area, being posted there since his appointment on 16-06-2015. Obviously, in such circumstances, the petitioner is entitled to be posted at the soft station, that too of his choice in terms of the Transfer Policy. The petitioner has already preferred representation (Annexure P-1) to this effect, wherein he has given details of the stations, as per para-4 of the petition, which is in conformity with the Comprehensive Guiding Principles, 2013.

Accordingly, we deem it appropriate to dispose of this petition by directing respondents to consider and decide the representation of the petitioner and then issue consequential orders of transfer to any one of the stations of his choice, within a period of four weeks from today. Ordered accordingly".

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 10th August, 2022. The petitioner attended the personal hearing on the scheduled date and time. During personal hearing, the petitioner has requested that he may be adjusted at GSSS Kharat/GSSS Parour/GSSS Tang Narwana/GSSS Chowki u/c GSSS Distt. Kangra and GSSS Nadaun Distt. Hamirpur, against vacancy or on promotion of present incumbent.

From the perusal of the record, it reveals that Sh. Sandeep Kumar, TGT(Med), has been working in GSSS Lapas Distt. Mandi, (which fall under hard area/sub cadre area) since 16-06-2015 and has completed his normal tenure at present place of posting. Hence, the representation of the petitioner is considered sympathetically and he is hereby transferred from GSSS Lapas Distt. Mandi to GSSS Kharat Distt. Kangra against vacancy being caused due to promotion of present incumbent. These orders will be implemented after the relieving of incumbent who is going to be promoted. With these observations the representation of the petitioner is considered and disposed of accordingly.



DIRECTOR

Endst. No. Even Dated Shimla-171001. August. 2022.
Copy for information is forwarded to:

- 1 The Distt. Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
- 2 The Deputy Director of Elementary Education, Kangra/Mandi H.P.
- 3 The Principal/Headmaster GSSS Lapas Distt. Mandi / GSSS Kharat Distt. Kangra, H.P.
- 4 The Nodal Officer Directorate of Elementary Education Shimla, H.P.

DIRECTOR

12/18/2022