

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, Oct.2022

ORDER



In the matter : CWP No. 6929/2022 titled as Kapil Chaudhary, TGT(Med) VS State of H.P. & others.

The Petitioner, Sh. Kapil Chaudhary, TGT, (Med), filed CWP No. 6929/2022 titled as, Kapil Chaudhary, 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, Shimla-2 on 30th September, 2022, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

"In these circumstances, we dispose of the writ petition by permitting the petitioner to make a fresh representation within four working days to respondent No.2. If such representation is made, the same shall be decided by respondent No.2 expeditiously and in any event within four weeks from the date of receipt of the representation"

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 27th October, 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 GHS Dadhamb /GSSS Nadholi/GHS Kand /GHS Rajol Distt. Kangra against vacancy/longer stay.

From the perusal of the record, it reveals that Sh. Kapil Chaudhary, TGT (Med) has been working in GSSS Samleu, Distt. Chamba since 05th July, 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 GHS Dodhamb Distt. Kangra against vacancy. With these observations, the representation of the petitioner is considered and disposed of accordingly .

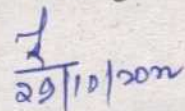

DIRECTOR

Endst. No. Even Dated Shimla-171001.

Oct.2022.

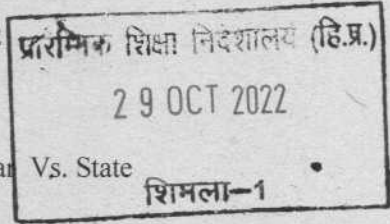
Copy for information is forwarded to:

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


DIRECTOR

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

Dated- Shimla-171001, the Oct, 2022



ORDER

In the matter of:

CWP No. 6465/2022 titled as Vipin Kumar Vs. State
of H.P. & Others.

Whereas, Sh. Vipin Kumar, TGT (NM) preferred CWP No. 6465/2022 titled as Vipin Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Holi Distt. Chamba(tribal area) to nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 16.09.2022 when the Hon'ble High Court has passed the following orders:-

"3. For this purpose, the petitioner has already set out five stations of his choice, as enumerated in para-5 of the petition, which read as under:-

- 1) GSSS Manoh Sihal, Tehsil Fatepur
- 2) GSSS Maira Tehsil Jawali
- 3) Government Middle School Bhanai, Tehsil Jawali
- 4) GSSS Rehan Tehsil Nurpur, and
- 5) GSSS Bharmar, District Kangra.

4. Consequently, the present petition is allowed and the respondents are directed to consider and decide the case of the petitioner and thereafter issued necessary consequential order of transfer of the petitioner to any one of the five stations of his choice within a period of four weeks from today and report compliance on 14.10.2022.

5. The petition stands disposed of in the aforesaid terms, so also pending applications, if any."

Whereas, the no post of TGT(NM) is lying vacant and no longer stayee is working in these schools who can be transferred vice the petitioner. However, the case of the petitioner was again listed before the Hon'ble High Court on 18.10.2022 when the Hon'ble High Court has passed to following orders:-

"Confront with this, learned counsel for the petitioner states that there is vacancy at GSSS Garan District Kangra and GSSS Raja- Ka- Talab, District Kangra, where the petitioner can conveniently be transferred and posted."

From perusal of record, it has been found that the petitioner has been working at GSSS Holi Distt. Bharmour since 25.7.2019 and has completed more than three years stay there. At present one post of TGT(NM) is lying vacant in GSSS Garan Distt. Kangra. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer is considered sympathetically and he is hereby transferred without TTA/JT from GSSS Holi Distt Chamba to GSSS Garan District Kangra against vacancy. The representation of the petitioner is disposed of accordingly.

Director
Elementary Education,
HP Shimla
Oct, 2022

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

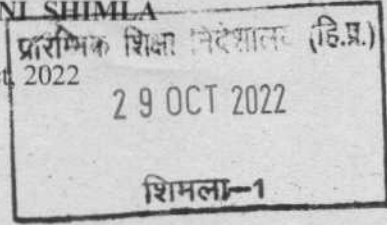
Copy to the following for information and necessary action please:-

1. The Distt. Attorney (Edu.) Directorate of Elementary Education, Shimla, H. P.
2. The Deputy Director of Education Chamba/Kangra at Dharamshala (H.P.).
3. The Principal Govt. Sr. Sec. School Holi Distt. Chamba/ GSSS Garan Distt. Kangra (H.P.)
4. (Regd.) Sh. Vipin Kumar, S/O Sh. Puran Chand, Vill Patta Jatian P.O. Jakhara Tehsil Fatehpur District Kangra, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.

Director
Elementary Education,
HP Shimla
29/10/2022

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

Dated- Shimla-171001, the Oct 2022



ORDER

In the matter of: CWP No. 3957/2022 titled as Manoj Kumar Vs. State of H.P. & Others.

Whereas, Sh. Manoj Kumar, TGT (NM) preferred CWP No. 3957/2022 titled as Manoj Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GMS Tunda u/c GSSS Mandha District Chamba (tribal area) to the station of his choice nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 22.06.2022 when the Hon'ble High Court has passed the following orders:-

" 4. Accordingly, without adverting to the merits of the case, we deem it appropriate to dispose of the writ petition with a direction that in case the petitioner moves fresh representation before respondent No. 2, Director of Elementary Education, Himachal Pradesh, in terms of the Transfer Policy dated 10.07.2013, within one week from today, the same shall be disposed of by the said respondent, in accordance with law, within two weeks thereafter from the date of receipt of the representation alongwith copy of this order.

5. Pending miscellaneous application(s), if any, shall also stand disposed of. "

Whereas, petitioner was submitted his fresh representation to this office on on 6.9.2022 vide which he has given six stations of his choice i.e. GMS Bhoudi u/c GHS Draman Distt. Kangra/GMS Chandron u/c GSSS Kosri Distt. Kangra/GSSS Harot Distt. Kangra/GHS Draman Distt. Kangra/GBSSS Jogindernagar Distt. Mandi/GMS Sandroa u/c GSSS Kosari Distt. Kangra. At present no post of TGT(NM) is lying vacant in aforesaid schools. However, the petitioner has submitted his willingness for transfer to GMS Chander u/c GSSS Dhatti District Kangra against vacancy.

From perusal of record, it has been found that the petitioner has been working at GMS Tunda u/c GSSS Mandha Distt. Chamba (hard/tribal area) since 11.3.2019 and has completed more than three years stay there. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer is considered sympathetically and he is hereby transferred without TTA/JT from GMS Tunda u/c GSSS Mandha Distt Chamba to GMS Chander u/c GSSS Dhatti District Kangra. The representation of the petitioner is disposed of accordingly.

Director
Elementary Education,
HP Shimla
Oct,2022

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

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2. The Deputy Director of Education Chamba/Kangra at Dharamshala (H.P.).
3. The Principal Govt. Sr. Sec. School Mandha Distt. Chamba/ GSSS Dhatti Distt. Kangra (H.P.)
4. (Regd.) Sh. Manoj Kumar, S/O Sh. Sarwan Kumar, R/O Vill. Upper Dattal P.O. Tikkar Tehsil Palampur District Distt. Kangra, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.

Director
Elementary Education,
HP Shimla

29/10/2022

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

Dated- Shimla-171001, the Oct, 2022

ORDER

In the matter of: CWP No. 5053/2022 titled as Surender Pal Swaroop Vs. State of H.P. & Others.

Whereas, Sh. Surender Pal Swaroop, TGT (NM) preferred CWP No. 5053/2022 titled as Surender Pal Swaroop Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Nichar District Kinnaur (tribal area) to the station of his choice nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 27.07.2022 when the Hon'ble High Court has passed the following orders:-

" 2. Learned counsel for the petitioner seeks leave to withdraw the present writ petition with liberty to make a representation to respondent No. 2-Director of Elementary Education, Shimla. Accordingly, the writ petition is allowed to be withdrawn with liberty, as prayed. In case, the representation is made by the petitioner within one week from today, the same shall be considered and decided by the respondent No. 2, expeditiously and in any event by 31st August, 2022.

3. Pending miscellaneous application(s), if any, also be stand disposed of."

Whereas, petitioner was submitted his representation to this office on 6.9.2022 vide which he has given seven stations of his choice in District Bilaspur i.e. GSSS Kandroun/GSSS Rishikesh/GSSS Soldha/GHS Pantehra/GHS Plasla/GMS Mehara u/c GSSS Marhana District Bilaspur against vacancy.

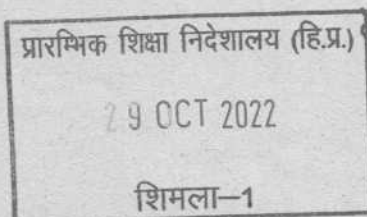
From perusal of record, it has been found that the petitioner has been working at GSSS Nichar Distt. Kinnaur (hard/tribal area) since 3.10.2017 and has completed more than four years stay. At present one post of TGT(NM) is lying vacant in GMS Mihara u/c GSSS Marhana District Bilaspur. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer is considered sympathetically and he is hereby transferred without TTA/JT from GSSS Nichar Distt Kinnaur to GMS Mihara u/c GSSS Marhana District Bilaspur against vacancy. The representation of the petitioner is disposed of accordingly.

Director
Elementary Education,
HP Shimla
Oct,2022

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

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4. (Regd.) Sh. Manoj Kumar, S/O Sh. Sarwan Kumar, R/O Vill. Upper Dattal P.O. Tikkar Tehsil Palampur District Distt. Kangra, H.P.
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6. Guard file.



Director
Elementary Education,
HP Shimla