

ORDER

In the matter of: CWP No: 8703/2022-titled as Rakesh Kumar Vs. State of Himachal Pradesh.
Sh. Rakesh Kumar, TGT (Arts) has filed CWP No. 8703/2022-before the Hon'ble High Court of H.P. regarding transfer from GHS Nayangran, District Chamba. The case was listed on 19.12.2022, when the same has been disposed of with the following order :-

" The petitioner has completed his normal tenure of service in the difficult/hard and tribal area having been posted at GHS Nayangran, District Chamba, since November, 2019. The petitioner has already repeatedly represented his case from transfer, but to no avail.

In the given facts and circumstances of the case, we deem it appropriate to dispose of this petition by directing the respondents to consider the case of the petitioner to one of the following soft stations of his choice :-

- a) GSSS Hobar, Chwarai, District Chamba, H.P.
- b) GMS Upper Dattal, District Kangra, H.P.
- c) GSSS Raipur Chuwari, District Chamba.
- d) GSSS Balakrupi, District Kangra, H.P.
- e) GSSS Punner, District Kangra, H.P.

The needful be done within a period of four weeks from today. Ordered accordingly.

Pending application, if any, also stands disposed of.

For compliance, to come up on 03.03.2023."

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Rakesh Kumar, TGT(Arts) was called for personal hearing and appeared before the undersigned on 27.01.2023. At the time of hearing he has submitted representation vide which he stated that he has completed normal tenure in Tribal area and requested for transfer from GHS Nayagran, District Chamba to GSSS Hobar (Chamba)/ GMS Upper Dattal (Kangra)/ GSSS Raipur (Chamba)/ GSSS Balakrupi (Kangra)/ GSSS Punner (Kangra) against vacancy.

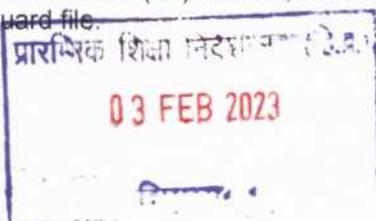
From the perusal of record, it is found that Sh. Rakesh Kumar, TGT (Arts) is working at GHS Nayangran (Tribal area) District Chamba since 23.11.2019 and has completed normal tenure at his present place of posting. At present post of TGT (Arts) is lying vacant at GSSS Hobar, District Chamba. Keeping in view the position stated above, representation of petitioner i.e Sh. Rakesh Kumar, TGT (Arts) is considered sympathetically and he is hereby transferred from GHS Nayangran (Tribal Area) District Chamba to GSSS Hobar, District Chamba, against vacancy. The representation of the petitioner is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No. Even dated, Shimla-1, the January, 2023

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 8703/2022.
2. The Deputy Director of Elementary Education, Chamba, H.P.
3. The Principal/ Headmaster GHS Nayagran/ GSSS Hobar, District Chamba, H.P.
4. Sh. Rakesh Kumar, TGT(Arts) GHS Nayagran, District Chamba, H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

No: EDN-H (2) B (6)1-18/2023(A)-Court Case

Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.

Dated Shimla-171001 the

January, 2023

ORDER

In the matter of: CWP No: 8317/2022-titled as Kamlesh Dhiman Vs. State of Himachal Pradesh (Regarding Transfer).

Smt. Kamlesh Dhiman, TGT (Arts) has filed CWP No. 8317/2022-before the Hon'ble High Court of H.P. regarding transfer from GHS Bholi, District Bilaspur. The case was listed on 01.12.2022, when the same has been disposed of with the following orders :-

" In the circumstances, without going into the merits or otherwise of the matter, we dispose of the present writ petition by directing No.2-The Director Elementary Education, Himachal Pradesh, to decide the aforesaid representation of the petitioner dated 10.09.2022 (Annexure P-1) not later than four weeks from today.

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

In compliance to the aforesaid order/judgment passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Smt. Kamlesh Dhiman, TGT (Arts) was called for personal hearing and appeared before the undersigned on dated 23.01.2023. At the time of personal hearing she has submitted representation vide which she stated that her father- in-law is heart patient and mother in-law is also in old age. There is no one to lookafter her 13 months baby and old aged in-laws. She has requested that due to adverse family circumstances she may kindly be transferred from GHS Bholi (Bilaspur) to GSSS Nalti/ GSSS (Girls) Ghumarwin, District Bilaspur.

From the perusal of record, it is found that Smt. Kamlesh Dhiman, TGT (Arts) is working at GHS Bholi u/c GSSS Jukhala, District Bilaspur since 08.09.2019 and has completed normal tenure at her present place of posting. The petitioner has been serving within her home District from last eight years, despite the fact that TGT (Arts) is State Cadre post and the incumbents are supposed to serve anywhere in the State in the exigencies of the service. Moreover, at present post of TGT (Arts) is not lying vacant in the above mentioned schools. She is working in soft area and she is not entitled for transfer to choice station. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer can not be considered at this stage on administrative ground and in large public interest. Hence, request made by the petitioner is hereby rejected. The representation of the petitioner is disposed of accordingly.

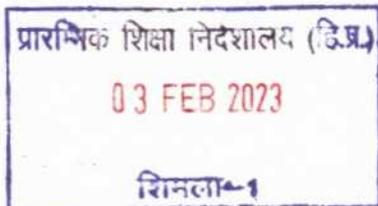
DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the January, 2023

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 8317/2022.
2. The Deputy Director of Elementary Education, Bilaspur, H.P.
3. The Principal/ Headmaster GHS Bholi, District Bilaspur, H.P.
4. Smt. Kamlesh Dhiman, TGT (Arts) GHS Bholi u/c GSSS Jukhala, District Bilaspur.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla



No: EDN-H (2) B (6)1-18/2023(A)-Court Case
Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.
Dated Shimla-171001 the

January, 2023

ORDER

In the matter of: CWP No: 8946/2022-titled as Sunita Sharma Vs. State of Himachal Pradesh.

Smt. Sunita Sharma, TGT (Arts) has filed CWP No. 8946/2022-before the Hon'ble High Court of H.P. regarding transfer from GSSS Soda Dhiari, District Sirmour. The case was listed on 28.12.2022, when the same has been disposed of with the following order :-

" Accordingly, without advertng to the merits of the case, this petition is disposed of with a direction to respondent No.2 to consider and decide the representation of the petitioner (Annexure P-2) expeditiously with law, preferably within four weeks from the receipt of the copy of order.

Pending application, if any, also stands disposed of.

To come up for compliance, to come up on 17th March 2023."

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Smt. Sunita Sharma, TGT (Arts) was called for personal hearing and appeared before the undersigned on 27.01.2023. At the time of hearing she has submitted representation vide which she stated that she is 53 years old and her husband is also working in Education department in District Hamirpur. She has further stated that her mother in-law is 80 years old and suffering from multiple disease and requested for transfer from GSSS Soda Dhiari, District Sirmour to GSSS Kangoo/ GSSS Rangas/ GMS Lambri u/c GSSS Paltander, District Hamirpur, against vacancy.

From the perusal of record, it is found that Smt. Sunita Sharma, TGT(Arts) is working at GSSS Soda Dhiari, District Sirmour since 24.12.2020 (1st appointment) on contract basis and has not completed normal tenure at her present place of posting. Moreover, the petitioner is working in soft area of District Sirmour and she is not entitled for transfer to choice station despite the fact that TGT (Arts) is State Cadre post and the incumbents are supposed to serve anywhere in the State. Keeping in view, the above facts and circumstances, the case of the petitioner for transfer can not be considered at this stage. Hence, request made by the petitioner is hereby rejected on administrative ground in large public interest. The representation of the petitioner is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the January, 2023

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 8946/2022.
2. The Deputy Director of Elementary Education, Sirmour at Nahan, H.P.
3. The Principal/ Headmaster GSSS Soda Dhiari, District Sirmour, H.P.
4. Smt. Sunita Sharma, TGT(Arts) GSSS Soda Dhiari, District Sirmour, H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla