

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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of: CWP No. 5974/2022 titled as Pradeep Kumar Vs. State of H.P. & Others.

Whereas, Sh. Pradeep Kumar, TGT (NM) preferred CWP No. 5974/2022 titled as Pradeep Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Kutara District Shimla to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 31.08.2022 when the Hon'ble High Court has passed the following orders:-

*" After arguing for some time, the learned counsel for the petitioner seeks leave to withdraw the petition. The petition is allowed to be withdrawn.
2. since the petitioner has already made a representation dated 06.08.2022 (Annexure P-3), we direct respondent No. 2-Director, Elementary Education, Shimla to decide the same expeditiously and in any event, within three weeks from today.
3. The petition to stand disposed of accordingly. Pending miscellaneous application(s), if any, also to stand disposed of."*

Whereas, the petitioner was called for personal hearing on 16.02.2023 and he attended the same. At the time of personal hearing he has requested that he has completed more than 8 years service at his present place of posting. He has further stated that he may please be adjusted/transferred to GHS Parnali u/c GSSS Bandla/GHS Digthali u/c GSSS Sui Suin Surhar /GSSS Soldha District Bilaspur.

From perusal of record, it has been found that the petitioner has been working at GSSS Kutara District Shimla w.e.f. 27.01.2014 and has completed more than eight years stay. One post of TGT(NM) is lying vacant in GHS Digthali u/c GSSS Suin Surhar District Bilaspur. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is considered sympathetically and he is hereby transferred, without TTA/JT, from GSSS Kutara District Shimla to GHS Digthali District Bilaspur against vacancy, on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

**Director
Elementary Education,
HP Shimla
Feb,2023**

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 Shimla/Bilaspur (H.P.)
3. The Principal/Headmaster, GSSS Kutara District Bilaspur/GSSS Suin Surhar District Bilaspur (H.P.)
4. (Regd.) Sh. Pradeep Kumar, S/o Late Shri Ranjeet Singh R/O Vill. Hari Talyanger P.O. Danger Tehsil Ghumarwin District Bilaspur, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.

20 FEB 2023

**Director
Elementary Education,
HP Shimla**

ORDER

In the matter of: CWP No: 417/2023-Joginder Kumar Vs. State of Himachal Pradesh.

Sh. Joginder Kumar, TGT (Arts) has filed CWP No. 417/2023- before the Hon'ble High Court of H.P. regarding transfer from GMS Bagher u/c GSSS Bharian Kothi, District Chamba. The case was listed on 20.01.2023, when the same has been disposed of with the following order :-

" Learned Counsel for the petitioner submits that the petitioner would make a fresh representation and the respondents may be directed to decide the same in a time bound manner.

In view of the above, the writ petition is disposed of by permitting the petitioner to make a fresh representation to respondent No.2, within seven days from today, with a direction to respondent No. 2 to decide the same within a period of two weeks, thereafter. The writ petition is disposed of in the above terms. Pending miscellaneous application (s, if any, also to stand disposed of.

For compliance report, list on 22.03.2023.

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Joginder Kumar, TGT (Arts) was called for personal hearing and appeared before the undersigned on 16.02.2023. At the time of hearing, he has submitted representation vide which he stated that he has completed three years tenure in hard area. He has further stated that his seven year old son is Diabetic type-I patient and under regular treatment from Government Medical College Tanda. Due to adverse family circumstances he has requested for transfer from GMS Bagher u/c GMSSS Bharian Kothi, District Chamba to GMS Damoh u/c GSSS Minjgran/ GHS Gurial u/c GSSS Raja Ka Talab/ GMS Kothi u/c GSSS Dagla, District Kangra.

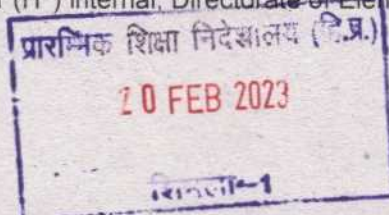
From the perusal of record, it is found that Sh. Joginder Kumar, TGT (Arts) is working at GMS Bagher u/c GSSS Bharian Kothi, District Chamba since 25.11.2019 and has completed normal tenure at his present place of posting. GMS Bagher u/c GSSS Bharian exists in sub cadre/hard area of District Chamba. At present post of TGT(Arts) is not lying vacant in the above mentioned schools. One post of TGT (Arts) is going to be vacant at GHS Gurial u/c GSSS Raja Ka Talab, District Kangra, being caused due to retirement of present incumbent on 28.02.2023. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner in his representation is considered sympathetically and he is hereby transferred from GMS Bagher u/c GMSSS Bharian Kothi, District Chamba to GHS Gurial u/c GSSS Raja Ka Talab, District Kangra, against vacancy, being caused due to retirement of present incumbent on 28.02.2023. The petitioner will join after superannuation of present incumbent i.e after 28.02.2023. The representation of the petitioner is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No.Even dated, Shimla-1, the February, 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. 417/2023.
2. The Deputy Director of Elementary Education, Chamba/Kangra, H.P.
3. The Principal/Headmaster GSSS Bharian Kothi (Chamba) / GSSS Raja Ka Talab/ GHS Gurial (Kangra).
4. Sh. Joginder Kumar, TGT(Arts) GMS Bagher u/c GSSS Bharian Kothi, 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