

No.EDN-H(2)B(6)1-18/2019-2021-22 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001

the,

March.2022

ORDER

In the matter :

CWP No.553/2022 titled as Suman Lata,TGT(Med),Vs State of H.P. & others (Regarding transfer)

The Petitioner Smt.Suman Lata filed CWP No. 553/2021 titled as. before the Hon'ble High Court of H.P. agreed her transfer from GHS Bahot Kasol (BLP) to GSSS Dhayla Distt. Solan.The case of the petitioner was listed before the Hon'ble High Court on 08th March, 2022 ,when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

Accordingly, the impugned order of transfer dated 17-01-2021 is quashed and set aside However,it is noticed that the petitioner has completed her normal tenure of service at the present station.Therefore, in case official respondents,in future,decide to transfer her,then this judgement shall not come in the way of the official –respondents provided the transfer is effected in accordance with the with “Comperhensive Guiding Principles-2013” and notification dated 19-11-2020.

According to the private respondents,his client also needs to be transferred taking into consideration the adverse family circumstances.It is more than settled that as regards the personal hardship,it is for the employer to take call ,therefore ,in case the private respondent prefer a representation within a period of two weeks,then we have no doubt that the same shall be considered strictly in accordance with law by the official respondents sympathetically within three weeks on receipt of such representation”

As per the order passed by the the Hon'ble High Court the private respondent No.3 i.e Sh. Praveen Kumar,TGT(M),was called for personal hearing on dated 14-03-2022. The petitioner attended the personal hearing on schedule date and time. During personal hearing he has requested that he may be adjusted against longer stayee in GSSS Harnora (BLP)/GSSS Triphalghat (MND)/ GSSS Ranikotla Distt. Bilaspur.The petitioner has further stated that his wife is working as staff nurse and presently posted at Regional Hospital Bilaspur and having regular shift duty. As such there is no one in the family to look after the old and ailing mother –in –law and two minor children.

The representation has been examined carefully and it has been revealed that the petitioner has been transferred from from GHS Bahot Kasol(BLP)) to GSSS Dhayla (SLN) vice Respondent No. 3 i.e. Sh. Praveen Kumar,TGT(M) & vice-versa on the completion of normal tenure of three years as per policy with the prior approval of the competent authority. Now,as per averments made by the petitioner his wife is working in Regional Hospital Bilaspur and being a couple case , he may be transferred nearby Bilaspur. Smt. Suman Lata, TGT(M) has completed three years stay in her present place of posting i.e. GHS Bahot Kasol Distt. Bilaspur. Hence, the respondent No. 3 i.e. Shri Praveen Kumar, TGT(M) is hereby transferred from GHS Dhayala Distt. Solan to GHS Bahot Kasol District Bilaspur,without TTA/JT vice Smt. Suman Lata,TGT(Med),with TTA/JT,as it has been clearly mentioned in transfer policy at Clause No.5.5, that in case wife and husband both are working under the State Government, efforts should be made to post them at one place or near places as far as possible, subject to the availability of vacancy .

With these observation the representation of the respondent No.3 is considered and disposed of accordingly.


DIRECTOR

Endst. No. Even Dated Shimla-171001.

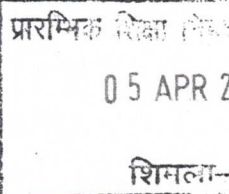
March.

2022.

Copy for information is forwarded to:

- 1 The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-I.H.P
- 2 The Deputy Director of Elementary Education, Bilaspur/Solan,H.P.
- 3 The Principal / Headmaster GHS Bahot Kasol (BLP) /Dhayla Distt. Solan H.P.
- 4 (Regd.)Smt. Suman Lata ,TGT(med)presently u/t from GHS Bahot Kasol Distt.Bilaspur/Sh. Praveen,TGT(Med) u/t from GSSS Dhayla(SLN) to GHS Bahot Kasol Distt. Bilaspur.
5. The Nodal Officer Directorate of Elementary Education Shimla,H.P.


DIRECTOR



No.EDN-H(2)B(6)1-18/2021-22 (Med)

Directorate of Elementary Education
Himachal Pradesh, Lalpani, Shimla .

Dated: Shimla-171001 the,

April.2022.

To

1. Sh.Vipan Kumar S/o Sh. Ranjeeet Singh r/o Vill Bakarta,P.O. Rakoh,Tehsil Sarkaghat Distt. Mandi,H.P.
- 2.Smt. Pooja Rani Sharma,w/o Sh. Raman Kant Sharma r/o Vill. Ruthani,P.O. Towna Bharari ,Tehsil Bhoranj(HMR) presently serving as TGT(med) GSSS Duhak(KGR)
- 3.Smt. Anita Kumari,TGT,(Med) w/oSh. Sanjeev Kumar presently working as TGT(med)GSSS Salot(Balichowki)(MND)
- 4.Sh. Suresh Kumar Chauhan s/o Sh. Prakash Chand,r/o Vill Tapre P.O. Tauni Devi Distt. Hamirpur .
5. Sh. Rajeev Rana s/o Sh. Bachan Singh Rana,TGT(med) presently working in GSSS Rupri Nichar(KNR) Distt. Kinnaur,H.P.

Subject :

1. CWP No. 1267/2022 titled as Vipan Kumar Vs State of H.P. & others.
2. CWP No.7409/2021 titled as Pooja Rani Sharma,TGT(med)Vs State of H.P. & others.
3. CWP No. 985/2022 titled as Anita Kumari,TGT(med) Vs State of H.P.& others.
- 4.CWP No. 1718/2022 titled as Suresh Kumar Chauhan Vs State of H.P. & others.
5. CWP No. 1487/2022 titled as Rajeev Rana Vs state of H.P.

Sir,

On the subject cited above, you are directed to attend the personal hearing on dated ~~11.04.22~~ in the chamber of Director Elementary Education Himachal Pradesh at 2.30 P. M. sharp in view of the aforesaid court case dated otherwise ex party decision will be taken.

This may be treated as most urgent.

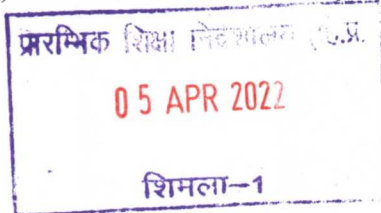

DIRECTOR

No. EDN-H (2) B (6)1-18/2022 dated.

April. 2022.

Copy by post for confirmation:-

1. The Deputy Director Elementary Education of above mentioned District.Mandi/KNR/HMR,H.P.
2. The Principal /Headmaster GSSS Mahog(MND),GSSS Duhak/ GSSS Salot/GSSS Manal Dochi/ GSSS Rupri Nichar(KNR) Distt. Kinnaur direct the oncerned teacher to attend personal hearing on ~~11.04.2022~~
3. The Nodal Officer(IT) Directorate of Elementary Education Shimla,H.P.
4. Guard File.




DIRECTOR