

DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI SHIMLA.

Dated- Shimla-171001, the March, 2021.

In the matter of: CWP. No. 4955/2020-titled as Kiran Kumari, TGT (NM) Vs. State of H.P. & Others.

Whereas, Smt.Kiran Kumari, TGT (NM) was transferred with the prior approval of the competent authority from GMS Bahal Thakru u/c GSSS Ghangot Distt. Hamirpur to GHS Gehal-Damiyana Distt. Sirmour vice Sh. Pawan Kumar TGT (NM) and whereas, Smt. Kiran Kumari TGT (NM) approached the Hon'ble High Court vide CWP No. 4955/2020 titled as Kiran Kumari, TGT (NM) Vs. State of H.P. regarding her transfer/adjustment. The case of the petitioner was listed before the Hon'ble High Court Himachal Pradesh on 06.01.2021, when after hearing the matter the Hon'ble High Court has directed as under:-

"In sequel, the extant writ petition is disposed of, with a direction to the respondents concerned, to, in consonance with the relevant policies and guidelines, proceed to, within one week hereafter, consider the posting(s), of, the writ petitioner, and, co-respondent No. 4, at the station(s), convenient to both of them. In the afore process, the authority concerned, shall ensure the participation therein, of, both the afore. The respondents concerned, are also directed to forthwith, mete compliance, with the order, recorded by this Court, on 13.11.2020, upon, CMP No. 12276 of 2020. All pending applications are disposed of."

In compliance to the directions of the Hon'ble High Court the respondent attended personal hearing on 05.02.2021 and petitioner on 19.02.2021. During personal hearing the petitioner apprised that her husband is serving in BSF and posted in Jammu and Kashmir. The petitioner requested that as per provisions contained in the transfer policy clause 5.2. wherein it has been envisaged that "the wives of officers/officials of military/central para military forces are liable to be posted at convenient places subject to availability of vacancies" hence, she may be posted /adjusted adjacent to her home District. Respondent no.4 viz: Sh. Pawan Kumar has also requested that he may be adjusted in Distt. Hamirpur against vacancy. The petitioner vide representation dated 19.2.2021 has requested that she may be adjusted against vacancy which will arise due to promotion of PGTs. Presently promotion list has not been issued by the Director of Higher Education, hence her request cannot be considered at this stage.

Request of respondent no.4 can also not be considered at this stage as there is no vacancy of TGT (NM) in Distt. Hamirpur.

Representation of the applicant is disposed of accordingly.

Sd/-

DIRECTOR
March, 2021

Endst:No:-EDN-H(2)B(6)1-18/2021-(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 Hamirpur / Sirmour (H.P.).
3. The Principal /Headmaster, GSSS Dhangota (Hmr.)/GHS, Gehal Damiyana (Smr:) H.P.
4. (Regd.) Kiran Kumari / Pawan Kumar, TGT (NM) GMS Bahal Thakru u/c GSSS Dhangota Distt. Hamirpur, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

18 MAR 2021

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Sd/-
DIRECTOR