

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

Dated- Shimla-171001, the Sept, 2021.

In the matter of:

CWP No. 5798/2021 titled as Rajender Kumar Vs. State of H.P. & Others.

Whereas, Sh. Rajender Kumar, TGT (NM) preferred CWP No. 5798/2021 -titled as Rajender Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Sohari District Bilaspur to GHS Karetti u/c GSSS Sari District Shimla vice Shri Parveen Kumar, TGT(NM) & vice-versa. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 16.09.2021 when the Hon'ble High Court has passed the following orders:-

".....2. Accordingly, the present petition is allowed and the impugned transfer order dated 10.12.2020(Annexure P-2) is quashed and set aside. Pending application(s), if any also stands disposed of.

3 However, before parting, it needs to be observed that private respondent as also his wife have some serious health issues, as pointed out in the reply filed to this petition.

4 Therefore, in the given facts and circumstances, we permit respondent No. 4 to file a representation before the official respondents within a period of one week from today and on receipt thereof we direct the official respondents to take decision on humanitarian and sympathetic ground within a further period of two weeks. However, it is made clear that this orders shall not be treated as a precedent in future.

For compliance came up on 21.10.2021"

In compliance to the directions of the Hon'ble High Court the respondent No. 4 i.e Shri Parveen Kumar, TGT(NM) submitted his representation in this Directorate on 20.9.2021. He was called for personal hearing on 21.9.2021 and he attended the same. He requested that he may kindly be adjusted at GMS Ree Khas u/c GSSS Sawahan District Bilaspur against vacancy. He has also requested that his family circumstances are not favourable and his wife is also having some health issues.

From perusal of record, it has been found that the respondent No. 4 was earlier transferred from GSSS Suin Surad District Bilaspur to GHS Karetti u/c GSSS Sari (Shimla) vice Anil Kumar, TGT(NM) & vice-versa vide orders dated 2.11.2020, with the prior approval of competent authority and got himself adjusted at GSSS Sohari District Bilaspur vice Shri Rajender Kumar, TGT(NM) and who further has been transferred to GHS Kareti u/c GSSS Sari District Shimla vide order dated 10.12.2020. The said orders have been quashed by the Hon'ble High Court on 16.9.2021. Now, the respondent No. 4 i.e. Parveen Kumar, TGT(NM) has requested for his adjustment at GMS Ree Khas U/C GSSS Sawahan District Bilaspur against vacancy. Keeping in view the medical problems of the respondent No. 4 and his wife, his request is considered sympathetically. Accordingly, he is hereby adjusted at GMS Ree Khas u/c GSSS Sawahan District Bilaspur against vacancy, without TTA/JT. The representation of the petitioner is disposed of accordingly.


DIRECTOR

Endst:No:-EDN-H(2)B(6)1-18/2021-(NM)-dated, Shimla-1 Sept. 2021
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 Bilaspur /Shimla (H.P.).
3. The Principal GSSS Sohari/Swahan Distt.Bilaspur / GSSS Sari Distt. Shimla H.P.
4. Regd.) Parveen Kumar, TGT(NM) in GSSS Sohar District Bilaspur.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.




DIRECTOR