

EDN-H(2)B(6)1-18/2022-23 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani, Shimla-1

Dated: Shimla-171001 the, Sep.2023

ORDER

In the matter : CWP No. 5715/2023 titled as **Gulshan Dhiman ,TGT(Med) VS State of H.P. & others.**

The Petitioner, Smt Gulshan Dhiman,TGT(Med)) filed CWP No. 5715/2023 titled as,Gulshan Dhiman ,TGT(Med)Vs State of H.P. before the Hon'ble High Court of H.P.regarding his transfer from GSSS Kohal (Churah) Distt. Chamba (which fall underhard/sub cadre are) to his choice of station after the completion of required tenure as per policy. The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 23rd August,2023, when after hearing the matter,the Hon'ble High Court has disposed of the same with the following directions/ order:-

“ In view of the abve submission ,this writ petition is disposed of by permitting the petitioner to make a fresh representation to respondent No,2 within a week from today,which shall be considered and decided by the respondent No.2 /competent authority in accordance with law and applicable policy,within a period of three weeks thereafter. The decision so arrieved at shall also be communicated to the petitioner.

The writ petition stands disposedof in the above terms,so also the pending miscellaneous application(s),if any.”

As per direction of the Hon'ble High Court the petitioner was called for personel hearing on dated. 13th September ,2023, but she could not attend the same.The petitioner submitted her representation through her advocate wherein she has requested that she may be adjusted in GHS Ustehar(Baijnath)/GSSS Krishanagar/GSSS Bundla/GSSS Saloh Distt. Kangra and GSSS Golwan Distt.Mandiagasint longer stay/due to promotion of present incumbent.

From the perusal of the record, it reveals that Smt Gulshan Diman,TGT(Med), is presently working in GSSS Kohal(Churah) Dsitt. Chamba,(which fall under hard/sub cadre area), since 15th March,2019 and has completed her normal tenure at present place of posting. I find it appropriate to transfer the petitioner to GHS Ustehar (Baijnath) Distt. Kangra vice Smt. Poonam Sood ,TGT(Med),Distt. Kangra, with TTA/JT. With these observations the representation of the petitioner is considered and disposed of accordingly.

DIRECTOR

Endst. No. Even Dated Shimla-171001.

Sep.2023.

Copy for information is forwarded to:

- 1 The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
- 2 The Deputy Director of Elementary Education, Kangra at Dharamshal,Distt. Kangra/ Chamba,H.P.
- 3 The Principal/Headmaster GHS Ustehar (Baijnath) Distt. Kangra/ GSSS Kohal(Churah) Dsitt. Chamba
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
- 5.. Guard file.

प्राथमिक शिक्षा निदेशालय (उ.प्र.)

18 SEP 2023

शिमला-1

DIRECTOR

No.EDN-H(2)B(6)1-18/2022-23 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001 the, September,2023

ORDER

In the matter : CWP No. 5579/2023 titled as **Vijay Chauhan,TGT(Med) V/s State of H.P. & others T(Med)Vs State of H.P.& others**

The Petitioner, Sh. Vijay Chauhan,TGT(Med)) filed CWP No. 5579/2023 titled as, Vijay Chauhan,Vs State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Shansha Distt Lahul Spiti,H.P. (which fall under hard area /sub cadre) to his choice of station after the completion of required tenure as per policy. The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 21st August,2023, when after hearing the matter,the Hon'ble High Court has disposed of the same with the following directions/ order:-

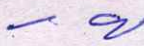
" In view of the above submission ,this writ petition is disposed of by directing respondent No.2 competent authority to deide the aforesaid representation of the petitioner dated12-06-2023(Annexure P-3) in accordance with law and applicable policy,within a period of three weeks from today.The decision so arrieved at shall also be communicated to the petitioner.

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

As per direction of the Hon'ble High Court the petitioner was called for personel hearing on dated. 13th September ,2023,The petitioner attended the personal hearing on scheduled date and time. During personal hearing he has requested that he may be adjusted in GSSS Chachian/GSSS Harsi/GHS Bahi/GHS Arla/GSSS Jaisinghpur/GSSS Krishnanagar and GSSS Bhawarna against vacany/longer stay.

From the perusal of the record, it reveals that Sh. Vijay Chauhan, TGT(Med), is presently working in GSSS Shansha Distt. Lahul Spiti (which fall under hard area/ sub cadre), since 30th December. 2020, he has completed his normal tenure at present place of posting. At present there is no vacancy/longer stay in above said insititutions mentioned by the petitioner. I find it appropriate to order the petitioner may be adjusted against vacancies existing in future as per his choices mentioned in the representation of the petitioner is considered and disposed of accordingly.

Endst. No. Even Dated Shimla-171001.


DIRECTOR
September.2023.

Copy for information is forwarded to:

1. The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
2. The Deputy Director of Elementary Education, Lahul Spiti, H.P.
3. he Principal /Headmmaster GSSS Shansha (L&S) H.P.
4. The Nodal Officer Directorate of Elementary Education Shimla.H.P.
5. Guard file.

18 SEP 2023


DIRECTOR

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

Dated- Shimla-171001, the Sept., 2023

In the matter of: CWP No. 4230/2023 titled as Nisha Devi, Vs. State of H.P. & Others.

Whereas, Smt. Nisha Devi TGT (NM) preferred CWP No. 4230/2023 titled as Nisha Devi Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Bharari, District Mandi to GSSS Jarol, District Mandi. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 3-07-2023 when following orders were passed:-

" Within three weeks from today, respondent No. 2 shall decide petitioner's representation dated 18.5.2023 and communicate his decision to the petitioner. List on 19.9.2023 "

Whereas, vide representation dated 18.5.2023, which was received in this Directorate on 12.6.2023, the petitioner has requested for her transfer from his present place of posting to the stations of her choice nearby to her native place in District Mandi against vacancy.

Whereas, from perusal of record, it has been found that the petitioner is working at GSSS Bharari, District Mandi since 4.10.2018 and has completed the normal tenure of three years there. However, no stations of her choice are vacant at this stage and as such her request of transfer to the stations of her choice cannot be acceded to. The representation of the petitioner is disposed of accordingly.

[Signature]

DIRECTOR
Sept., 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 Elementary Education, Distt. Mandi, H.P.
3. The Principal Govt. Sr. Sec. School, Bharari, Distt. Mandi, H.P.
4. (Regd.) Smt. Nisha Devi, TGT(NM), GSSS Bharari, District Mandi, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.

[Signature]
DIRECTOR

