

September, 2023

**ORDER**

In the matter of: CWP No. 5581/2023-titled as Piar Chand, TGT (Arts) V/s State of Himachal Pradesh (Regarding Transfer).

Sh Piar Chand, TGT (Arts) has filed CWP No. 5581/2023 titled as Piar Chand V/s State of H.P., regarding transfer from GMS Lamlehra u/c GSSS Charatgarh (Una). The case was listed before the Hon'ble High Court of H.P. on 21-08-2023, when the same has been disposed of with the following orders:-

*"In view of the above submission, this writ petition is disposed of by directing respondent No. 2/competent authority to decide the aforesaid representation of the petitioner dated 07.07.2023 (Annexure P-1) in accordance with law and applicable policy, within a period of three weeks from today. The decision so arrived 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."*

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Piar Chand, TGT (Arts) was called for personal hearing and appeared before the undersigned on 12-09-2023. He has submitted fresh representation, wherein he stated that he has completed normal tenure at his present place of posting and has requested for transfer from GMS Lamlehra u/c GSSS Charatgarh District Una to GSSS Jhiralri, GHS Ropi, GHS Salouni, GSSS Jhagriana, GMS Dain u/c GSSS Mair, District Hamirpur or GSSS Dangar District Bilaspur, against vacancy/longer stayee.

From the perusal of record, it is found that Sh. Piar Chand, TGT (Arts) is working at GMS Lamlehra u/c GSSS Charatgarh, District Una since 13-11-2019 and has completed normal tenure at his present place of posting. At present post of TGT (Arts) are not lying vacant in the mentioned schools. Keeping in view the position stated above, representation of petitioner i.e Sh. Piar Chand, TGT (Arts) can not be considered at this stage due to non vacancy and the transfer will affect the study of students in the mid session. Hence, request made by the petitioner is hereby rejected and disposed of accordingly.

DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla.

Endst No. Even dated, Shimla-1, the September, 2023  
Copy to the following for information and necessary action please:-

1. The Secretary (Education) to the Govt. of Himachal Pradesh, Shimla-2
2. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 5581/2023.
3. The Deputy Director of Elementary Education, Una, H.P.
4. The Principal, GSSS Charatgarh, District Una, H.P.
5. Sh. Piar Chand, TGT (Arts) GMS Lamlehra u/c GSSS Charatgarh, District Una H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1
7. Guard file.



DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla

**ORDER**

In the matter of: CWP No. 4635/2023-titled as Lata Kumari V/s State of Himachal Pradesh (Regarding Transfer).

Ms. Lata Kumari, TGT (Arts) has filed CWP No. 4635/2023 titled as Lata Kumari V/s State of H. P., regarding transfer from GSSS Janjehli District Mandi. The case was listed before the Hon'ble High Court of H.P. on 19-07-2023, when the same has been disposed of with the following orders:-

*"In view of the aforesaid submission and limited grievance raised in the instant petition, the present petition is disposed of by directing respondent No. 2/competent authority to decide the pending representation of the petitioner, dated 10.05.2023 (Annexure P-1) in accordance with law and applicable transfer policy within a period of three weeks from today. The decision so taken shall also be communicated to the petitioner.*

*All pending application(s) if any, also stands disposed of."*

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Ms. Lata Kumari, TGT (Arts) was called for personal hearing and appeared before the undersigned on 12-09-2023. She has submitted representation, wherein she has requested that due to adverse family circumstances she may kindly be transferred to GSSS Sadiana, GGSSS Mandi, GBSSS Mandi, GSSS Taryambli, GHS Nalan, District Mandi or GSSS Paprola District Kangra, against vacancy/longer stayee.

From the perusal of record, it is found that Ms. Lata Kumari, TGT (Arts) is working at GSSS Janjehli, District Mandi since 03-12-2019 and has completed normal tenure at her present place of posting. At present post of TGT (Arts) are not lying vacant in the above mentioned schools. However, one Sh. Govind Ram, TGT (Arts) is working in GHS Nalan, District Mandi since 09-02-2010 and has completed his normal tenure at his present place of posting, but he is Locomotor Disable person with 48% disability.

Keeping in view the position stated above, representation of petitioner i.e Ms. Lata Kumari, TGT (Arts) can not be considered at this stage due to non vacancy. Hence, representation made by the petitioner is hereby rejected and disposed of accordingly.

DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla

Endst No. Even dated, Shimla-1, the September, 2023

Copy to the following for information and necessary action please:-

1. The Secretary (Education) to the Govt. of Himachal Pradesh, Shimla-2
2. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 4635/2023.
3. The Deputy Director of Elementary Education, Mandi, H.P.
4. The Principal, Janjehli/GHS Nalan, District Mandi, H.P.
5. Ms. Lata Kumari, TGT (Arts) GSSS Janjehli, District Mandi, H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1
7. Guard file.



DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla