

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

Directorate of Elementary Education

Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001 the, April,2024

ORDER.

In the matter : CWP No.2427/2024 titled as Pankaj Kumar,TGT(Med) VS State of H.P. & others.

The Petitioner, Sh. Pankaj Kumar,TGT(Med)) filed CWP No. 2427/2024 titled as, Sh. Pankaj Kumar,TGT (Med) Vs State of H.P. before the Hon'ble High Court of H.P.against his transfer from GSSS Tikker Khaterian(HMR) to GSSS Kiar Distt. Shimla .The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 22<sup>nd</sup> March.2024, when after hearing the matter,the Hon'ble High Court has disposed of the same with the following directions/ order:-

*"Taking into consideration the prayer made by the petitioner ,this petition is disposed of without interfering with transfer order but with the direction that let the representation of the petitioner appended with the petition as Annexure P-5 be decided by the Competent Authority sympathetically within a period of two weeks from today taking into consideration the fact that the case of the petitioner is a couple case and till appropriate orders are passed there upon,the petitioner shall not be forced to join the station to which he stands transferred and he is at liberty to avail the leave of the kind due to him. The code of conduct inforce on account of ensuing parliamentary election,shall not come in the way of the respondent - Department in doing the needful."*

As per direction of the Hon'ble High Court the petitioner submitted his representation to the undersigned, in which he has requested that he may be adjusted against vacancy in GHS Samtehan u/c GSSS Tarsooh Distt. Bilaspur. The petitioner has further stated that his wife working as TGT in GSSS Kharkari Distt. Bilaspur.As such there is no one of the family to look after the old and ailing mother - father and one minor son .

From the perusal of the record,it reveals that Sh. Pankaj Kumar.TGT(Med) was transferred from GSSS Tikker Khaterian (HMR) to GSSS Kiar Distt. Shimla,(by clubbing her previous stay),with the prior approval of the competent authority.As per averments made by the petitioner his wife is working in GSSS Kharkari Distt.Bilaspur. I find it appropriate to transfer the petitioner to GHS Samtehan u/c GSSS Tarsooh Distt. Bilaspur against vacancy without TTA/JT.With these observations the representation of the petitioner is considered and disposed of accordingly.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

06 APR 2024

DIRECTOR

April.2024.

Endst. No. Even Dated Shimla-171001.

Copy for information is forwarded to Shimla-1

1. The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-1.H.P
2. The Deputy Director of Elementary Hamirpur /Bilaspur ,H.P.
3. The Principal / Headmaster GSSS Tikker Khaterian (HMR)/ GHS Samtehan u/c GSSS Tarsooh Distt. Bilaspur .
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
5. Guard file.

DIRECTOR