

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

Directorate of Elementary Education
Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001 the, November,2023

ORDER

In the matter : CWP No. 8617/2023 titled as Bandna ,TGT(Med), VS State of H.P. & others.
The Petitioner, Smt.Bandna ,TGT(Med)) filed CWP No. 8617/2023 titled as,
Bandna,TGT(Med) Vs State of H.P. before the Hon'ble High Court of H.P. against her transfer
from GSSS Baliwal(Una) to GHS Gagoh Distt. Una.The case of the petitioner was listed before
the Hon'ble High Court, Shimla-2 on 07th November.2023, when after hearing the matter,the
Hon'ble High Court has disposed of the same with the following directions/ order:-

*"Being that as it may,and as requested by Mr. Nitin Thakur,learned
counsel,we permit the petitioner to make a representation to the respondent No.2-Director of
Elementary Education ,Himachal Pradesh within three days from today; with further direction
to the aforesaid respondent to examine the representation and to pass appropriate orders in
light of clause 5.4 of the transfer policy as well as the mandate of law passed by the Hon,ble
Apex Court in (2022)12 SCC 1,titled as S.K Nausad Rehaman and others Vs Union of India and
others.*


*Till the decision of the representation ,the petitioner may avail leave of any
kind due and shall not be compelled to join at the transferred station.*

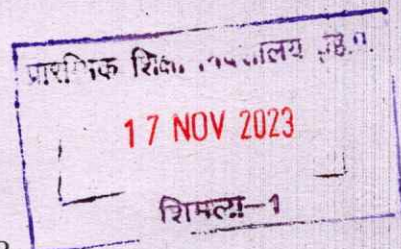
*Needles to say that,this Court has not adverted to the merits of the matter of
the matter and all Questions of fact and law are left open.*

*As afrosaid ,the instant writ petition as well as,pending miscellaneous
application's if any, shall also stand disposed of, accordingly."*

As per direction of the Hon'ble High Court the petitioner submitted her
representation to the undersigned, in which she has requested that she may be adjusted in GSSS
Churadi /GSSS Sanhal Distt. Una against longer stayee.The petitioner has further stated the her
husband is working in the revenue department and is posted at Hamirpur . As such there is
no one of the family to look after my minor child and old ailing father and Mother in law.

From the perusal of the record, it reveals that Smt. Bandna,TGT,(Med) was
transferred from GSSS Baliwal (Una) to GHS Gagoh Distt. Una with the prior approval of the
competent authority after completion of her normal tenure at the present place of posting . I find
it appropriate to transfer the petitioner to GSSS Sanahal (UNA) vice Smt.Jyoti Banyal ,TGTMed)
Distt.Una, with TTA/JT. With these observations the representation of the petitioner is considered
and disposed of accordingly.


DIRECTOR



Endst. No. Even Dated Shimla-171001.

November.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 Chamba,H.P.
- 3 The Principal/Headmaster GSSS Baliwal(Una) / GHS Gagoh Distt. Una. | GSSS Sanahal (Una)
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
- 5.. Guard file.


DIRECTOR