

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, December.2023

In the matter : CWP No. 9531/2023 titled as **Kulvinder Kumar,TGT(Med)Vs State of H.P.& others**

The Petitioner, Sh.Kulvinder ,TGT(Med)) filed CWP No. 9531/2023 titled as, Kulvinder Kumar, TGT(Med),Vs State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Devikothi (Churah)Distt. Chamba (which fall under hard area /sub cadre) to station of his choice 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 30th November,2023, when after hearing the matter,the Hon'ble High Court has disposed of the same with the following directions/ order:-

" Needless to say that the State Government has issued the Transfer policy ,providing the concession to its employees,based on uniformity and applicability of C 12 and 16 of the Transfer Policy, then this Court hopes and trusts that the respondents shall examine /consider the representations ,in the background of the object and spirit of clause 12 and 16 of the aforesaid Policy. Needles to add while considering the case of the petitioner ,the respondents shall make every effort that the stake of the incumbent -petitioner is not prolonged any further ,in terms of the mandate of the Division Bench of this court in CWP No.1105 of 2006,titled as Sushil Sharma,Head Teacher Vs State of H.P. & others ,decided on 27-08-2007 and necessary action be taken within three weeks in all respects.

It is clarified that this Court has not adverted to the rival contentions and merits of the matter and all questions of Facts and Law are left open.

As aforesaid, the writ petition as well as the pending miscellaneous application(s) if any shall also stand disposed of ,accordingly."

As per direction of the Hon'ble High Court the petitioner was called for personel hearing on dated. 05th December,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 Kandwari /GSSS Dhugiari / GSSS Dadh/GSSS Hatwas and GHS Diara Distt. Kangra against vacancy/due to promotion of present incumbent.

From the perusal of the record, it reveals that Sh.Kulvinder Kumar, TGT(Med), is presently working GSSS Devikothi (Churah) Distt. Chamba (which fall under hard area /sub cadre) since 24th Feburary,2021. At present there is no vacancy in above said insititutions mentioned by the petitioner.I find it appropriate to order the petitioner may be adjusted against vacancies accruing in future.The representation of the petittioner is considered and disposed of accordingly.

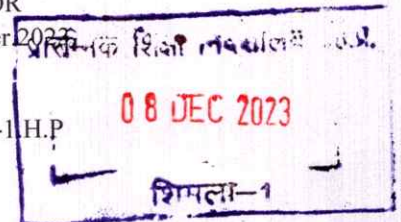
Endst. No. Even Dated Shimla-171001.

DIRECTOR

December 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 Chamba, H.P.
3. The Principal /Headmmaster GSSS Devikothi (Churah)Distt. Chamba
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
5. Guard file.



DIRECTOR