

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, November. 2023

In the matter : CWP No.9775 /2023 titled as Smt. Balwinder Kaur,TGT (Med)
Vs state of H.P. & others .

The Petitioner,Smt. Balwinder Kumar,TGT,(Med) filed CWP No. 9775/2023 titled as, Balwinder Kaur Vs State of H.P. before the Hon'ble High Court of H.P. against her transfer from GSSS Balh(Una) to GSSS Gagoh Distt. Una vice.Smt. Jyoti Banyal,TGT(Med) in view of CWP No.9115/2023.The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 05th December 2023,when after hearing the matter the Hon'ble High Court has disposed of the same with the following directions/ order:-


"Since the petitioner has already completed more than the normal tenure at the present station ,therefore ,this Court is not inclined to grant any interm protection either for staying the transfer orders or the rejection orders as reffered to above .However,the respondents shall permit the petitioner to avail leave of kind due till the decision of the representation .

Needless to say 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.

In aforesaid terms,the writ petition a 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 personal hearing on dated 12th December,2023. The petitioner attended the personal hearing on scheduled date and time .During personal hearing she has requested that she may be allowed to remain in previous school .The petitioner has further stated that her husband is working out of State. As such there is no one of the family to look after my old ailing father in law who is suffering from various old age ailments .

From the persual of the record,it reveals that Smt.Balwinder Kaur,TGT(Med) has been transferred from GSSS Balh Distt. Una to GHS Gagoh (UNA) after completion ^{of} more than eight years stay in present place of posting i.e. (19th January,2016), Moreover,in GHS Gagoh Distt. Una, there are 72 students studying from class VI to X . In the interest of the students post of TGT(Med) cannot be kept vacant. Therefore, keeping in view of the position stated above, the representation made by the petitioner can not be acceded to and hereby rejected and disposed of accordingly.


DIRECTOR

December.2023.

Endst. No. Even Dated Shimla-171001.

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, Una Distt. Una.
- 3 The Principal / Headmaster GSSS Balh/ GHS Gagaoh Distt. Una
- 4 The Nodal Officer Directorate of Elementary Education Shimla,H.P.


DIRECTOR

