

ORDER

In the matter of: CWP No. 8483/2023-titled as Savita, TGT (Arts) V/s State of Himachal Pradesh (Regarding Transfer).

Smt. Savita, TGT (Arts) has filed CWP No. 8483/2023 titled as Savita V/s State of H.P., and seeking her transfer from GSSS Kaffota, District Sirmour either to GGSSS Paonta Sahib/GSSS Puruwala/GHS Bhedewala u/c GGSSS Paonta Sahib/GBSSS Paonta Sahib or GSSS Jamniwala District Sirmour against longer stayee by clubbing their previous postings tenure. The case was listed before the Hon'ble High Court of H.P. on 04-11-2023, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgment is as under:-

"Accordingly, this Court permits the petitioner to file representation indicating fresh stations of choice in soft area within four weeks; with further directions to the Respondent No.2-Director of Elementary Education to reconsider the entire matter and decide the representation /matter within two weeks thereafter. In the entirety of the above discussion, the impugned order dated 10-1-12023 (Annexure P-3), rejecting the representation of the petitioner for transfer from GSSS Kaffotta, District Sirmour for posting in a soft areas, is quashed and set aside, with directions to reconsider the entire matter afresh, in light of the observations made hereinabove and the directions contained in Paras 9 to 15 supra."

In compliance to the Hon'ble High Court of Himachal Pradesh order/judgment dated 04-11-2023, petitioner has submitted her fresh representation and stated that she has completed normal tenure at her present place of posting and adjusted either in GGSSS Paonta Sahib/GSSS Puruwala/GHS Bhedewala/GBSSS Paonta Sahib or GSSS Jamniwala (SMR), against longer stayee by clubbing their previous postings tenure, in view of her family circumstances.

From the perusal of record, it is revealed that Smt. Savita, TGT (Arts) is working at GSSS Kaffota, District Sirmour since 23-03-2018 and has completed more than 05 years tenure at present place of posting. At present post of TGT (Arts) are not lying vacant in the above mentioned schools, however one Sh. Permanand Chaudhary, TGT (Arts) is working in GSSS Puruwala, District Sirmour since 17-08-2023 and having short stay, but serving within the radius of Ten kilometers last 08 years. The continuous services rendered by employees of Education Department within a radius of 30 Kms. be considered stay/tenure at one station & such services will be clubbed for calculation of tenure purpose of transfers.

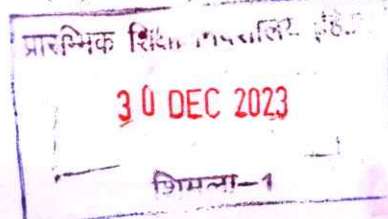
Keeping in view the position stated above, representation of petitioner Smt. Savita, TGT (Arts) is considered sympathetically and she is hereby transferred from GSSS Kaffota, (SMR) to GSSS Puruwala, District Sirmour vice Sh. Permanand Chaudhary, TGT (Arts) and vice versa by clubbing his previous place of postings tenure (with TTA/JT to Sh Parmanand Chaudhary). Therefore, representation of the petitioner with the present CWP is disposed of accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla
December, 2023

Endst No. Even dated, Shimla-1, the

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. 8483/2023.
3. The Deputy Director of Elementary Education, Sirmour, H.P.
4. The Principal, GSSS Kaffota/GSSS Puruwala, District Sirmour, H.P.
5. Smt. Savita, TGT (Arts) GSSS Kaffota, District Sirmour H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

**DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI, SHIMLA**

Dated- Shimla-171001, the Dec., 2023

In the matter of: CWP No. 4863/2023 -titled as Kapil Dev, Vs. State of H.P. & Others.

Whereas, Sh. Kapil Dev, TGT (NM) preferred CWP No. 4863/2023 titled as Kapil Dev, TGT(NM) Vs. State of H.P. before the Hon'ble High Court of H.P regarding his transfer from GSSS Piran, Distt. Shimla to nearby home station in Distt. Kangra. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 28-07-2023 when the Hon'ble High Court has passed the following orders:-

" 5. In view of the innocuous Prayer by learned counsel for the petitioner and without examining the merits of the matter, this writ petition is disposed of with a direction to the respondent No. 2/ competent authority to consider and decide the fresh representation to be filed by the petitioner within four days from today by passing appropriate orders in accordance with law, within a period of two weeks thereafter. Thereafter, the decision so arrived at shall also be communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of.

In the compliance the aforesaid orders of the Hon'ble High Court the petitioner has requested that he has completed required tenure at his present place of posting i.e GSSS Piran, Distt. Shimla and he further requested that he may be transferred to nearby home station in Distt. Kangra, H.P, against vacancy/ longer stye.

Whereas, from perusal of record, it has been found that the petitioner is working at GSSS Piran, Distt. Shimla w.e.f. **August, 2018** and has completed three years stay at present place of posting. One Sh. Dinesh Kumar TGT(NM) is working in GMS Kharthi, U/C GSSS Rajal, Distt. Kangra since 23-08-2022. The petitioner has given willingness for his transfer to the aforesaid school against longer stay. Keeping in view of the position stated above, the representation of the petitioner is considered sympathetically, and he is hereby transferred without TTA from GSSS Piran, Distt. Shimla, H.P to GMS Kharthi, U/C GSSS Rajal, Distt. Kangra vice Sh. Dinesh Kumar, TGT(NM) by clubbing his previous stay, with TTA/JT to Sh. Dinesh Kumar, TGT(NM). The representation of the petitioner is disposed of accordingly.

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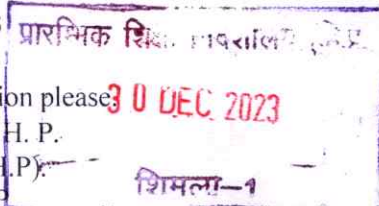
DIRECTOR

Dec., 2023

Endst:No:-EDN-H(2)B(6)1-18/2022-(NM)-dated, Shimla-1

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

1. The Secretary (Education) to the Govt. of Himachal Pradesh for information please
2. The Distt. Attorney (Edu.) Directorate of Elementary Education, Shimla, H. P.
3. The Deputy Director of Elementary Education, District Shimla/Kangra (H.P.)
4. The Principal, GSSS Piran, Distt. Shimla / GSSS Rajal, Distt. Kangra, H.P.
4. Regd.) Kapil Dev, S/o late Sh. Swaroop Raj, R/O Vill. Ansoli, P.O Mataur, Tehsil & Distt. Kangra, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.



M

DIRECTOR