

No: EDN-H(2)B(6)1-18/2023(A)-Court Case

Directorate of Elementary Education,

Lalpani-Shimla-1 Himachal Pradesh.

Dated Shimla-171001 the

January, 2024

**ORDER**

In the matter of:

CWP No. 10471/2023-titled as Prince Prashar V/s State of Himachal Pradesh and others (Regarding Transfer).

Sh. Prince Prashar, TGT (Arts) has filed CWP No. 10471/2023 titled as Prince Prashar V/s State of H.P. in the Hon'ble High Court, and seeking his transfer from GHS Halog Ichhani u/c GSSS Deori (Sub cadre) District Mandi either to GSSS Triambali/GSSS Mandi/GHS Nalan u/c GSSS Kataula/GMS Dinak u/c GSSS Kanaid, District Mandi or Sardar Sobha Singh GSSS Andreta District Kangra, against vacancy. The case was listed before the Hon'ble High Court of H.P. on 19-12-2023, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

**"In the entirety of the facts referred to above, this Court, permits the petitioner to make a fresh representation indicating stations of choice as per Clause 16.2 of the transfer policy; to Respondent No.2-Director, Elementary Education, Himachal Pradesh, Shimla, within two weeks from today; with further directions that in case any such additional representation is submitted the aforesaid respondent shall consider/examine the case of the petitioner for posting in a soft area, in terms of Clause 16.1 and 5.4 of the Transfer Policy, within two weeks from today.**

**This Court hopes and trust that once the Respondent-State had issued the Transfer Policy then, concessions in the aforesaid Policy should not be permitted to remain only on papers. The concessions and benefits as prescribed under the Transfer Policy should be extended equally and uniformly to all employees."**

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Prince Prashar, TGT (Arts) has submitted fresh representation and stated that he has completed normal tenure at his present place of posting in sub cadre and has requested for transfer either to GSSS Triambali against vacancy caused due to retirement of present incumbent/GSSS Mandi/GHS Nalan u/c GSSS Kataula/GMS Dinak u/c GSSS Kanaid, District Mandi or Sardar Sobha Singh GSSS Andreta District Kangra, against vacancy.

From the perusal of record, it is found that Sh. Prince Prashar, TGT (Arts) is working at GHS Halog Ichhani u/c GSSS Deori (Sub cadre) District Mandi since 20-07-2019 and has completed normal tenure at his present place of posting. One post of TGT (Arts) is lying vacant at GSSS Triambali, District Mandi, caused due to retirement of present incumbent on 31-12-2023.

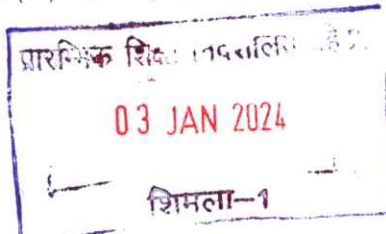
Keeping in view the position stated above, representation of the petitioner i.e Sh. Prince Prashar, TGT (Arts) is considered sympathetically and petitioner is hereby transferred from GHS Halog Ichhani u/c GSSS Deori, District Mandi to GSSS Triambali, District Mandi, against vacancy, caused due to retirement of present incumbent, without TTA/JT. The representation of the petitioner is disposed of accordingly.

**DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla**

Endst No.Even dated, Shimla-1, the January, 2023

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 Elementary Edu. w. r. t. CWP No. 10471/2023.
3. The Deputy Director of Elementary Education, Mandi, H.P.
4. The Principal, GSSS Deori/GSSS Triambali, District Mandi, H.P.
5. Sh. Prince Prashar, TGT (Arts) GHS Halog Ichhani u/c GSSS Deori, Distt. Mandi, H.P.
6. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
7. The Guard file.



**DIRECTOR  
Elementary Education  
Himachal Pradesh, Shimla**