

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. 10501/2023-titled as Sher Singh V/s State of Himachal Pradesh and others (Regarding Transfer).

Sh. Sher Singh, TGT (Arts) has filed CWP No. 10501/2023 titled as Sher Singh V/s State of H.P. in the Hon'ble High Court, and seeking his transfer from GSSS Lyh (Sub cadre/hard area) District Chamba either to GSSS Bathri/GSSS Dalhousie/GMS Lakkar Mandi u/c GSSS Dalhousie/GSSS Garh, District Chamba or GSSS Suliyali, District Kangra, against vacancy. The case was listed before the Hon'ble High Court of H.P. on 20-12-2023, 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 Clauses 12, 15 & 16.1 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 fresh representation is submitted the aforesaid respondent shall consider/examine the case of the petitioner and to pass appropriate order(s), within three weeks thereafter.

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 as well as the pending miscellaneous application(s), if any, shall also stand disposed of, accordingly"

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Sher Singh, TGT (Arts) has submitted fresh representation and stated that he has completed normal tenure at his present place of posting in sub cadre/hard area and has requested for transfer either to GSSS Bathri/GSSS Dalhousie/GMS Lakkar Mandi u/c GSSS Dalhousie/GSSS Garh, District Chamba or GSSS Suliyali, District Kangra, against vacancy.

From the perusal of record, it is found that Sh. Sher Singh, TGT (Arts) is working at GSSS Lyh (Sub cadre/hard area) District Chamba since 15-12-2020 and has completed normal tenure at his present place of posting. One post of TGT (Arts) is lying vacant at GSSS Bathri, District Chamba.

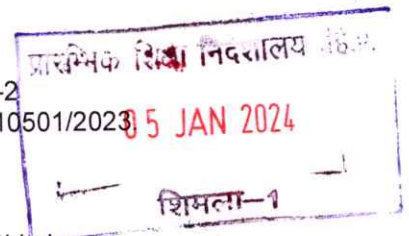
Keeping in view the position stated above, representation of the petitioner i.e Sh. Sher Singh, TGT (Arts) is considered sympathetically and petitioner is hereby transferred from GSSS Lyh, District Chamba to GSSS Bathri, District Chamba, against vacancy, without TTA/JT. The representation of the petitioner 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. 10501/2023
3. The Deputy Director of Elementary Education, Chamba, H.P.
4. The Principal, GSSS Lyh/GSSS Bathri, District Chamba, H.P.
5. Sh. Sher Singh, TGT (Arts) GSSS Lyh, Distt. Chamba, H.P.
6. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
7. The Guard file.



**DIRECTOR
Elementary Education
Himachal Pradesh, Shimla**