

No: EDN-H(2)B(6)1-18/2024(A)-Court Case
Directorate of Elementary Education,
Lalpani-Shimla-1 Himachal Pradesh.
Dated Shimla-171001 the

April, 2024

ORDER

In the matter of: CWP No: 1165/2024-titled as Archana Kumari V/s State of Himachal Pradesh (Regarding Transfer).

Smt. Archana Kumari, TGT (Arts) has filed CWP No. 1165/2024 titled as Archana Kumari V/s State of H.P. in the Hon'ble High Court, and seeking her transfer from GHS, Rakhera u/c GSSS Dharampur Distt. (Mnd.) to GHS, Chokhari u/c GSSS, Rajwari, GSSS, Chowki Chandrahan (Mnd.) against vacancy. The case was decided before the Hon'ble High Court of H.P. on 26.02.2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under :-

7. "In the entirety of the facts and circumstances, referred to above, this Court disposes of the writ petition by directing the Respondent No.2-Director (Elementary Education), Shimla, Himachal Pradesh, to consider/examine the representation dated 15.01.2024. (Annexure P-3), if not already decided, within three weeks from today and to pass appropriate orders thereon.

Needless to say that, this Court has not adverted to the matter and all questions of facts and law are left open.

As aforesaid, the instant 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 Smt. Archana Kumari, TGT (Arts) has attended the personal hearing on 04.04.2024 and submitted fresh representation and stated that she is posted far away from her home town and she has completed normal tenure at her present place of posting and has requested for transfer on the ground of couple case as per provision in Clause 5.4 of Comprehensive Guiding Principles 2013 from GHS, Rakhera u/c GSSS Dharampur Distt. (Mnd.) to GHS, Chokhari u/c GSSS, Rajwari, GSSS, Chowki Chandrahan (Mnd.) against vacancy, being caused due to retirement of present incumbent.

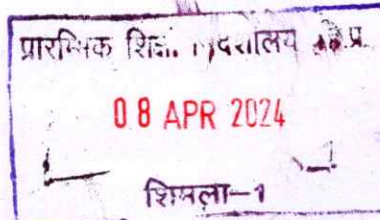
Keeping in view the above said provision of transfer Policy, the representation of the petitioner is considered sympathetically and she is hereby transferred from GHS, Rakhera u/c GSSS Dharampur Distt. (Mnd.) to GSSS, Chowki Chandrahan Distt. (Mandi.), against vacancy, likely to be created due to retirement of present incumbent on 31.05.2024 without TTA/JT. Incumbent will join after 31.05.2024. With these observations the representation of the petitioner is disposed of. All the concerned be intimated accordingly.

DIRECTOR
Elementary Education
Himachal Pradesh, Shimla

Endst No. Even dated, Shimla-1, the April, 2024

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. 1165/2024.
3. The Deputy Director of Elementary Education, Shimla, H.P. *mameli H.P.*
4. The Principal, GSSS Chowki Chandrahan Distt. (Mandi)/GSSS Dharampur Distt. Mandi H.P.
5. Smt. Archana Kumari, TGT (Arts) GHS, Rakhera u/c GSSS Dharampur, District Mandi, H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1
7. Guard file.



DIRECTOR
Elementary Education
Himachal Pradesh, Shimla