

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 April.2024



In the matter :

CWP No.1767/2024 titled as Ajay Kumar
Awasthi ,TGT(Med) Vs state of H.P. & others .

The Petitioner, Sh. Ajay Kumar,TGT(Med), filed CWP No.1767/2024 titled as, Ajay Kumar, Vs State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Thaltukhod Distt. Mandi(which falls under hard area) after the completion of required tenure as per policy. The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 11th March,2024,when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

" In view of the statement made by learned Additional Advocate General,this petition is disposed of with the observation that let appropriate orders on the representation of the petitioner be passed within a period of eight weeks from today and if possible,he may transferred either to a station of his choice or to some other station outside the sub cadre area."

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 06th April,2024. The petitioner attended the personal hearing on scheduled date and time .During personal hearing he has requested that he may be adjusted in GSSS Moondhi/ GHS Harer/GSSS Pahra/GSSS Pihri,Distt. Kangra and Aihju Distt. Mandi . The petitioner has further there is no one of the family to look after his old ailing father and *mother*.

From the perusal of the record, it reveals that Sh. Ajay Kumar Awasthi,TGT (Med), is presently working in GSSS Thaltukhod Distt. Mandi since 10th August, 2021, and has not completed his normal tenure. At present 156 students are studying at GSSS Thaltukhod Distt. Mandi, if the petitioner is allowed to moved out from the school as per his request, the students will suffer in terms of their study.Therefore after critical and thoughtful examination of the case, the request made by the the petitioner is rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

DIRECTOR

Endst. No. Even Dated Shimla-171001. - April.2024.

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, Mandi ,Distt. Mandi .
- 3 The Principal / Headmaster GSSS Thaltukhod Distt. Mandi
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.

DIRECTOR

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

Dated Shimla-171001, the

April, 2024

In the matter of:

CWP No. 2317/2024 titled as Mohinder Singh, TGT (NM) Vs. State of H.P & ors.

Whereas, Sh. Mohinder Singh, TGT (NM) preferred CWP No. 2317/2024 titled as Mohinder Singh Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Mandorghat District Shimla to the station nearby his native place Distt. Kangra, against vacancy/ longer Stayee. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 20.03.2024 when the Hon'ble High Court has passed the following orders:-

"3. Learned Additional Advocate General submits that needful will be done within a period of four weeks from today. By taking his statement on record, this petition is disposed of with the observation that the representation of the petitioner be decided by the competent Authority sympathetically within a period of four weeks from today, in accordance with law. Pending miscellaneous application(S), if any, also stand disposed of accordingly."

In compliance of the aforesaid orders of the Hon'ble High Court the petitioner was called for personal hearing on 05.04.2024. He has attended the same and submitted his representation in this office on 05.04.2024 vide which he has requested that he has completed normal tenure at his present place of posting i.e GSSS Mandorghat, District Shimla, H.P and he further requested that he may be transferred to Distt. Kangra, against vacancy/ longer stayee by clubbing his/her previous stay. Petitioner has given five stations of his choice in District Kangra.

Whereas, from perusal of record, it has been found that the petitioner is working at GSSS Mandorghat District Shimla w.e.f. 29.09.2017 and has completed three years at present place of posting. One Sh. Ashwani Kumar TGT (NM) is working in GSSS Dhugiari, Distt. Kangra since 25.04.2023. The petitioner has given willingness for his transfer to the aforesaid school against longer stay by clubbing his previous stay within radius of 30 Kms. 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 Mandorghat District Shimla to GSSS Dhugiari, Distt. Kangra, vice Sh. Ashwani Kumar, TGT (NM) against longer stay by clubbing his previous stay within radius of 30 Kms with TTA/JT to Sh. Ashwani Kumar, TGT (NM). The representation of the petitioner is disposed of accordingly.

DIRECTOR

April, 2024

Endst: No:-EDN-H(2)B(6)1-18/2024-(NM)-dated, Shimla-1

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

1. The Distt. Attorney (Edu.) Directorate of Elementary Education, Shimla, H. P.
2. The Deputy Director of Elementary Education, Shimla/Kangra (H.P.)
3. The Principal, GSSS Mandorghat District Shimla/ GSSS Dhugiari, Distt. Kangra, H.P.
4. (Regd.) Sh. Mohinder Singh S/o Sh. Roshan Lal, R/o Village & P.O. Sunhi, Tehsil Baroh, Distt. Kangra, H.P.
5. Guard file.

6. The Model Officer (TGT) etc. of Ele. Edu. H.P.

DIRECTOR

