

EDN-H(2)B(6)1-18/2022-2023 (Court Case)  
Directorate of Elementary Education  
Himachal Pradesh Lalpani , Shimla-1  
Dated: Shimla-171001 the, April. 2024  
ORDER

In the matter : CWP No. 3249/2024 titled as Neeraj Nishchal, TGT(Med) Vs  
State of H.P. & Others.

The Petitioner, Neeraj Nishchal TGT(Med) ,filed CWP No. 3144/2024 titled as Sh. Neeraj Nishchal, versus State of H.P. agreed her transfer from GHS Kanjian (HMR) to GHS Banona u/c GSSS Wasni Distt. Sirmour .The case of the petitioner was listed before the Hon'ble High Court on 22<sup>nd</sup> April,2024 ,when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

order:-

*“ In this view of the matter ,this petition is disposed of with the direction that let tAnnexure P-4 be decided y the Competent Authority within a period of two weeks from today and if possible,the petitioner be adjusted at a station of his choice ,provide the same is lying vacant ,as stands stated in the Court.Till the representation is decided by the competent Authority,the petitioner will noi be forced to join a the station to which he stands transferred.”*

As per direction of the Hon'ble High Court the petitioner submitted his representation to the undersigned, in which he has requested that he may be adjusted against vacancy in GHS Salihar u/c GSSS Surani Distt. Kangra/GSSS Doghari Distt. Mandi agasint vacancy . The petitioner has further stated that he is suffering from Hard disc i.e.( L4,L5 intervertebral prolapsed) since 2018 and is under treatment from Shri Harihar Hospital and Research centre Mandi,H.P.

The representation has been examined carefully and it has been revealed that the petitioner has been transferred from GHS Kanjian Distt. Hamirpur to GHS Banona u/c GSSS Wasni Distt. Sirmour vice Smt. Sonam Kumari,TGT(Med) in view of CWP.No.1854/2024 (by clubbing of previous stay ),Keeping in view of the position stated above the representation of the petitioner is considered sympathically and he is hereby adjusted in GSSS Doghari Distt. Mandi against vacancy. With these observations the representation of the petitioner is considered and disposed of accordingly.

  
DIRECTOR

April. 2024.

Endst. No. Even Dated Shimla-171001.

Copy for information is forwarded to:

- 1 The Distt. Attorney (Edu.) Directorate of Elementary Education -I.H.P
- 2 The Deputy Director of Elementary Education, Hamirpur/Mandi,H.P.
- 3 The Principal / Headmaster GSSS Doghari Distt. Mandi/ GHS Kanjian (HMR)
- 4.. The Nodal Officer Directorate of Elementary Education Shimla,H.P.

  
25 APR 2024  
DIRECTOR

No.EDN-H(2)B(6)1-18/2022-23 (Court Case)

Directorate of Elementary Education

Himachal Pradesh Lalpāni , Shimla-1

Dated: Shimla-171001

the,

April,2024

In the matter :

CWP No.2377/2024 titled as Neeta Devi ,TGT(Med) Vs state of H.P. & others .

The Petitioner, Smt. Neeta Devi,TGT (Med), filed CWP No.2377 /2024 titled as, Smt. Neeta Devi Vs State of H.P. before the Hon'ble High Court of H.P. regarding her transfer from GSSS Bharara Distt. Chamba ( 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 21<sup>st</sup> March,2024,when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

*Learned Counsel for the petitioner submits that the petitioner has filed a representation dated 02-03-2024(Annexure P-1) with the respondent -Department and this be disposed of by directing the competent authority to take appropriate decision thereupon within some time bond period.*

*This writ petition is accordingly disposed of with the direction that the representation filed by the petitioner be decided in light of the averments made therein within a period of four weeks from today.Pending application(s) .if any also stand disposed of accordingly.*

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 19<sup>th</sup> April,2024. The petitioner attended the personal hearing on scheduled date and time .During personal hearing she has requested that she may be adjusted in GSSS Jawali /GSSS Guglara/GHS Kandial /GSSS Chalwara Distt Kangra . against longer stay by clubbing previous stay.

From the perusal of the record, it reveals that Smt. Smt. Neeta Devi,TGT (Med), is presently working in GSSS Bharara Distt. Chamba ( which falls under hard area) since 25<sup>th</sup> February ,2021 and has completed her normal tenure at present place.Hence, the representation of the petitioner is considered sympathetically and she is hereby transferred to GSSS Chalawara vice Smt/ Kumari Pooja Dhiman, TGT ((Med), (by clubbing her previous stay),with TTA/JT. With these observations the representation of the petitioner is considered and disposed of accordingly.

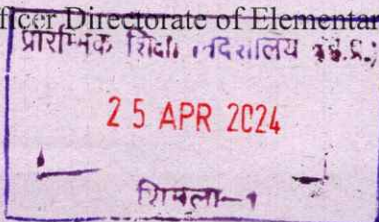
  
DIRECTOR

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, Kangara /Chamba,H.P.
- 3 The Principal/ Headmaster GSSS Chalawara (KGR) /GSSS Bharara Distt. Chamba
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.



  
DIRECTOR

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: 2172/2024-titled as Piar Chand, V/s State of Himachal Pradesh  
(Regarding Transfer).

Sh. Piar Chand, TGT (Arts) has filed CWP No. 2172/2024 titled as Piar Chand V/s State of H.P. in the Hon'ble High Court, as he is seeking transferred from GMS, Lamlehra u/c GSSS, Charatgarh Distt. Una to GSSS, Jol Sappar District. Hamirpur against vacancy, being caused due to retirement. The case was decided before the Hon'ble High Court of H.P. on 18.03.2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under :-

*"Learned counsel for the petitioner submits that now he has made a fresh representation to respondent No.2 on 5<sup>th</sup>, 2024, detailing therein his compelling circumstances as also the stations where the vacancies are anticipated to occur on 31<sup>st</sup> March, 2024 on account of retirements. Learned counsel for the petitioner further submits that the petitioner shall be content in case respondent No.2 is directed to consider and decide his fresh representation, Annexure P-4 in a time bound manner and more particularly keeping in view the vacancies which are anticipated at the stations detailed by him in his representation as also in the instant petition.*

*The instant petition is accordingly disposed of with a direction to respondent No. 2 to consider and decide the representation dated 5<sup>th</sup> February, 2024, Annexure P-4, submitted by the petitioner within two weeks from today.*

*Pending applications, if any, also stand disposed of.*

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Piar Chand, TGT (Arts) has attended the personal hearing on dated 05.04.2024 submitted fresh representation and stated that his school is far away from his home and his in Laws are in old age and there is no one to look after them, So he requested to adjust him at GSSS, Patta or GHS Dugha (Hmr.) against vacancy or longer stayee at GSSS Jhiralri (Hmr.)/GHS Ropri (Hmr.)/GSSS, Mair (Hmr.) within clubbing radius 30 Km.

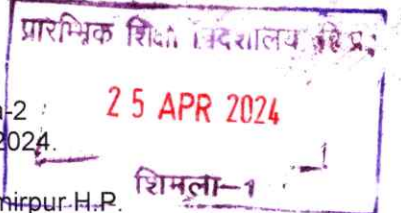
From the perusal of record, it is found that Smt. Sunita Devi, TGT (Arts) is working at GSSS, Jhiralri District Hamirpur since 16.02.2017 on regular basis. At present post of TGT (Arts) is not lying vacant in the above mentioned schools. However, one Sh. Piar Chand, TGT (Arts) is working in GMS Lamlehra U/c GSSS Charatgarh Distt. Una since 13.11.2019 and has completed his normal tenure at the present place of posting. The request of the petitioner, is considered sympathetically and he is hereby transferred from GMS, Lamlehra U/c GSSS, Charatgarh Distt. (Una.) to GSSS, Jhiralri District Hamirpur vice Smt. Sunita Devi, TGT(Arts) and vice versa, with TTA/JT to Smt. Sunita Devi, TGT(Arts). The representation of the petitioner is disposed of 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. 2172/2024.
3. The Deputy Director of Elementary Education, Una/Hamirpur, H.P.
4. The Principal, GSSS Charatgarh Distt. Una/GSSS, Jhiralri Distt. Hamirpur.H.P.
5. Sh. Piar Chand, TGT (Arts) GMS, Lamlehra u/c GSSS, Charatgarh Distt. Una, H.P.
6. The Nodal Officer (IT) internal, Dte. of Elementary Education, Shimla-1
7. Guard file.



**DIRECTOR**  
**Elementary Education**  
**Himachal Pradesh, Shimla**