

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, May.2024

In the matter :

CWP No.3482/2024 titled as Ku.Pooja Dhiman ,TGT (Med) Vs state of H.P. & others .

The Petitioner, Ku.Pooja Dhiman,TGT (Med), filed CWP No.3482/2024 titled as, Vs State of H.P. before the Hon'ble High Court of H.P., aggrieved her transfer from GSSS Chalwara (Jawali) Distt. Kangra to GSSS Bharara Distt Chamba . The case of the petitioner was listed before the Hon'ble High Court, Shimla-2 on 29th April,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 seeks permission to withdraw the petition with liberty to submit her representation to the competent authority, dealing therein the instances of her individual hardship, if any. It also submitted that a post is going to fall vacant on 30-04-2024 in GHS Malhanta under complex GSSS Diana Tehsil fatehpur Distt. Kangra, H.P. Petitioner is ready and willing to serve at such station, if posted at such station.

2. Prayer being innocuous is allowed.

3. Petitioner is permitted to withdraw the instant petition with liberty as prayed.

4. Pending miscellaneous application (s),if any, shall also stand disposed of.

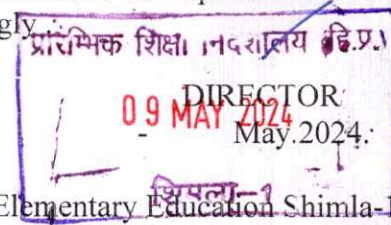
As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated 07th May.2024. The petitioner attended the personal hearing on scheduled date and time .During personal hearing she has requested that she may be adjusted in GHS Malhanta u/c GSSS Diana Distt. Kangra in superannuation of present incumbent /GHS Jolan Distt. Chamba against vacant post. The petitioner has further stated that her husband is also government employee and working as lecturer physics at GMSSS Matlahar(Jawali) Distt. Kangra. As such there is no one of the family to look after the old and ailing father in law and two minor daughters .

From the perusal of the record, it reveals that .Ku.Pooja Dhiman,TGT (Med) is presently u/t from GSSS Chalwara (Jawali) Distt. Kangra to GSSS Bharara Distt Chamba (in view of CWP.No.2377/2024 titled as Smt. Neeta Devi,TGT,Medical by clubbing of previous stay) .As per averments made by the petitioner her husband is also government employee and working as lecturer physics at GMSSS Matlahar(Jawali) Distt. Kangra and being a couple case, she may be transferred to GHS Malhanta u/c GSSS Diana Distt. Kangra . I find it appropriate to transfer the petitioner to GHS Malhanta u/c GSSS Diana Distt. Kangra against vacancy. With these observations the representation of the petitioner is considered and disposed of accordingly.

Endst. No. Even Dated Shimla-171001.

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



DIRECTOR

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

In the matter : CWP No. 3297/2024 titled as Rajeev Kumar TGT (Med)
Vs State of H.P. & Others.

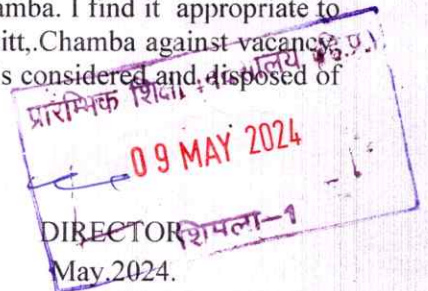
The Petitioner, Sh. Rajeev Kumar, TGT (Med) filed CWP No. 3297/2024 titled as Sh. Rajeev Kumar, versus State of H.P. aggrieved his transfer from GSSS Durgella Distt. Kangra to GBSSS Chirgaon Distt. Shimla. The case of the petitioner was listed before the Hon'ble High Court on 23rd April, 2024, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-
order:-

"Be that as it may, having heard learned counsel for the parties, without making any observation qua the respective contentions of the learned counsel, this petition, as prayed for, is disposed of with the direction that the petitioner shall be at liberty to make an appropriate representation to the Authority concerned for his re-adjustment at some other station and the same be considered sympathetically exigency. In the event of any such representation being filed within a period of two weeks from today, let appropriate order thereupon be passed within a period of two weeks as from the date of receipt thereof. Till then, the petitioner shall not be forced to join the station where he stands transferred.

Pending miscellaneous application(s), if any also stand disposed of accordingly."

As per direction of the Hon'ble Court the petitioner was called for personal hearing on dated 07th May, 2024. The petitioner attended the personal hearing on scheduled date and time. During personal hearing he has requested that he may be adjusted in GHS Jolna u/c GSSS Morthu Distt. Chamba against vacant post. The petitioner has further stated that his wife is suffering from herniated disc for which she already had a surgery (L4, L5-S1 lumbaractomy and Dissectomy). As such there is no one of the family to look after the old and ailing father and two minor sons.

The representation has been examined carefully and it has been revealed that the petitioner has been transferred from GSSS Durgella Distt. Kangra to GBSSS Chirgaon (Rural area) Distt. Shimla (in view of CWP.No.1433/2024 titled as Babita Kumari, TGT (Med) by clubbing of previous stay), although the petitioner has already served hard area i.e. GHS Deol Bharmour Distt. Chamba. I find it appropriate to transfer the petitioner to GHS Jolna u/c GSSS Morthu Distt. Chamba against vacant post. With these observations the representation of the petitioner is considered and disposed of accordingly.



Endst. No. Even Dated Shimla-171001.

Copy for information and further necessary action

- 1 The Distt. Attorney (Edu.) Directorate of Elementary Education -1.H.P
- 2 The Deputy Director of Elementary Education, Kangra / Chamba
- 3 The Principal/Headmaster GSSS Durgella Distt. Kangra/ GHS Jolna u/c GSSS Morthu Distt., Chamba
- 4 The Nodal Officer Directorate of Elementary Education Shimla, H.P.
- 5 Superintendent Appointment cell (internal).

DIRECTOR

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. 3144/2024 titled as Manoj Awasthi TGT(Med) Vs
State of H.P. & Others.

The Petitioner, Manoj Awasthi, TGT(Med) ,filed CWP No.
3144/2024 titled as Sh. Manoj Awasthi, versus State of H.P. agreed his transfer from GHS
GHS Harer(Baijnath) Distt. Kangra to GSSS Shansha (L&S) .The case of the petitioner was
listed before the Hon'ble High Court on 23rd April,2024 ,when after hearing the matter, the
Hon'ble High Court has disposed of the same with the following directions/ order:-
order:-

*“ At this stage ,learned counsel for the petitioner submits that
he may be permitted to make a representation to the competenet authority . Making of
representation is the choice of an employee and its for the employer to decide the
same .The Court cannot make any comment of such prayer.”*

As per direction of the Hon'ble Court the petitioner was called
for personel hearing on dated 07th May,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 Kathog or GSSS Swar Distt. Mandi (sub cadre area) against vacancy .The
petitioner has further stated that his wife is suffering from rheumatoid arthritis and she
is unable to do all household works.

The representation has been examined carefully and it has been
revealed that the petitioner has been transferred from GHS Harer (Baijnath) Distt. Kangra to
GSSS Shansha (L&S) vice Sh.Vijay Chauhan ,TGT(Med)(in view of CWP.No.525/2024 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 Kathog
Distt. Mandi against vacancy. With these observations the representation of the petitioner is
considered and disposed of accordingly.

Endst. No. Even Dated Shimla-171001.

Copy for information and further necessary action

- 1 The Distt. Attorney (Edu.) Directorate of Elementary Education -I.H.P
- 2 The Deputy Director of Elementary Education, Kangra / Mandi
- 3 The Principal / Headmaster GSSS Harer (Baijnath) Distt. Kangra /GSSS Kathog Distt.
Mandi
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
5. Incharge Appointment cell (internal).


DIRECTOR