

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

Dated Shimla-171001, the July, 2024

In the matter of: CWP No. 4377/2024-titled as Susheel Kumar Vs. State of H.P. & Others.

Whereas, Sh. Susheel Kumar, TGT (NM) preferred CWP No. 4377/2024 titled as Susheel Kumar, Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Kholanal, Distt. Mandi, H.P. to nearby station at his native place in Distt. Hamirpur and Mandi, H.P. . The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 21-05-2024 when the Hon'ble High Court has passed the following orders:-

5. "In view of above submissions, the instant writ petition is disposed of by permitting the petitioner to make a fresh representation to respondent No.2/ competent authority within a week from today, who shall in turn, consider and decided the same, in accordance with law and applicable policy, within a further period of three weeks. The order so passed be also communicated to the petitioner. Pending miscellaneous application(s), if any shall also stand disposed of."

In compliance with the aforesaid orders of the Hon'ble High Court the petitioner was called for personal hearing on 14-06-2024. He attended the same and submitted his representation in this office on 14-06-2024, vide which he has requested that he has completed required tenure at his present place of posting at GSSS Kholanal, Distt. Mandi, H.P. and he may be transferred to nearby native place in Distt. Hamirpur, H.P, against vacancy/ longer stay by clubbing his/her previous stay radius of 30 Kms. . At present there is no vacancy at in District Hamirpur, H.P.

From perusal of record, it has been found that the petitioner has been working at GSSS Kholanal, Distt. Mandi, H.P w.e.f July, 2019 and has completed five years stay at present place of posting . At present (46) students are studying in GSSS Kholanal, Distt. Mandi, H.P and (2) TGTs are working there. If the petitioner will be transferred in mid academic session from there, the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

[Signature]

DIRECTOR

July, 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, Distt. Mandi (H.P.)
3. The Principal, GSSS Kholanal, Distt. Mandi (H.P.)
4. (Regd.) Sh. Susheel Kumar, S/o Sh. Bhagwan Dass, R/o Vill. Bagwar, P.O Dhamrol, Tehsil Bhoranj, Distt. Hamirpur, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.



[Signature]

DIRECTOR

EDN-H(2)B(6)1-18/2022-23 (Court Case)

Directorate of Elementary Education
Himachal Pradesh Lalpani , Shimla-1

Dated: Shimla-171001

the, July.2024

ORDER.

In the matter :CWP 4815/2024 titled as Smt.Savita Rana,TGT(Med) VS
State of H.P. & others.

The Petitioner, Smt. Savita Rana,TGT(Med) filed CWP No. 4815/2024 titled as, Smt. Savita Rana Vs State of H.P. before the Hon'ble High Court of H.P. regarding seeking her transfer from GSSS Barwas, Dsitt. Sirmour (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 28th June, 2024, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

"After arguing for some time, learned counsel for the petitioner seeks permission to withdraw the present petition as the petitioner intends to move a representation to the competent authority. In view of the above, this writ petition is dismissed as withdrawn. 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. 29-06-2024. The petitioner attended the personal hearing on scheduled date and time. During personal hearing she has requested that she may be adjusted in GSSS Chalola/GSSS Ghanani Distt. Una against vacancy due to retirement of present incumbent.

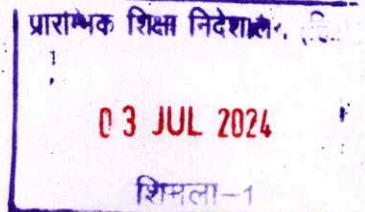
From the perusal of the record, it reveals that Smt. Savita Rana, TGT (Med) is presently working in GSSS Barwas Distt. Sirmour since 25th February, 2021, has completed her normal tenure at present place of posting. As per averments made by the petitioner, the representation is considered sympathetically and she is hereby transferred to GSSS Chalola Distt. Una, against vacancy. With these observations the representation of the petitioner is considered and disposed of accordingly.

sd
DIRECTOR

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 Una/Sirmour,H.P.
3. The Principal/Headmaster GSSS Barwas Dsitt. Sirmour/ Una
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.
5. Guard file.Y



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DIRECTOR

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, June.2024

In the matter :

CWP No.4614/2024 titled as Sh.Ajay Kumar Awasthi
(Med) Vs state of H.P. & others .

The Petitioner,Sh.Ajay Kumar Awasthi ,TGT (Med),filed CWP No. 5013/2024 titled as, Sh.Ajay Kumar Awasthi, Vs State of H.P. before the Hon'ble High Court of H.P. regarding seeking his transfer from GSSS Thaltukhod (Chuhar Ghati) Distt.Mardi (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 24th June, 2024, when after hearing the matter, the Hon'ble High Court has disposed of the same with the following directions/ order:-

"In case, such representation is moved,then the same shall be considered and decided by Competent Authority/representation/respondent No.2,in accordance with law and applicable policy within three weeks thereafter.Decision so taken shall also be communicated to the petitioner.

The instant petition is disposed of in above shall communicated to the petitioner.

The instant petition is disposed of in the above terms ,so also the pending miscellaneous application(s),if any".

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated. 29-06-2024.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/ GSSS Garh Jamula / GSSS Dheera /GHS Nanao/GHS Arla Distt. Kargra against longer stay or by clubbing previous stay. The petitioner has further stated that his father is old and suffering from various ailments.As such there is no one of the family to look after the old ailing father.

From the perusal of the record, it reveals that Sh.Ajay Kumar Awasthi,TGT,(Med) is presently working in GSSS Thaltukhod (Chuhar Ghati) Distt. Mandi (wh ch falls under Hard area) since 10th August ,2021.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.

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DIRECTOR

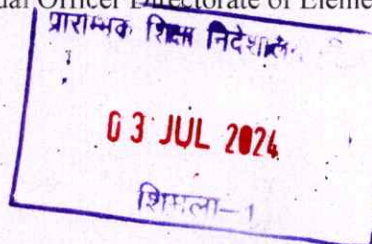
June.2024.

Endst. No. Even Dated Shimla-171001.

Copy for information is forwarded to:

- 1 The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla.-H.P
- 2 The Deputy Director of Elementary Education, Mandi H.P.
- 3 The Principal/Headmaster GSSS Thaltukhod (Chuhar Ghati) Distt. Mandi
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.

sd
DIRECTOR



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, July.2024

In the matter :

CWP No.5023/2024 titled as Smt. Saroj Bala,TGT (Med) Vs state of H.P. & others .

The Petitioner,Smt. Saroj Bala ,TGT (Med),filed CWP No. 5023/2024 titled as Smt. Saroj Bala ,Vs State of H.P. before the Hon'ble High Court of H.P. regarding seeking her transfer from GSSS Kaobil 15/20. Distt. Shimla (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 31st ~~May~~ June, 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 above limited grievance,this writ petition is disposed of with a direction to respondent No.2/competent Authority to consider and decide the representation of the petitioner dated 27-02-2024 (Annexure P-3) for transfer to soft area/choice of station in accordance with law and applicable transfer policy within three weeks today.The decision so arrived at shall also be communicated to the petitioner."

As per direction of the Hon'ble High Court the petitioner was called for personal hearing on dated. 29-06-2024.The petitioner attended the personal hearing on scheduled date and time. During personal hearing she has requested that she may be adjusted in GSSS Kakkar/GSSSS Mundkhar/GSSS Kharwar/GSSS Patta Dsitt. Hamirpur /GBSSS Sarkaghat Distt. Mandi against longer stay or by clubbing previous stay.

From the perusal of the record, it reveals that Smt. Saroj Bala,TGT(Med) is presently working in GSSS Kaobil 15/20 Distt. Shimla (which falls under Hard area) since 25th february,2021.As per version of the teacher there are 56 student are studying in GSSS Kaobil 15/20 Distt. Shimla.The result of the school for Board class Xth is zero percent ,which shows that she has not been serious in imparting education to the student and has not done her duty well. It is mid session and she should teach her students in proper manner.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.

July.2024.

Copy for information is forwarded to:

- 1 The Distt.Attorney (Edu.) Directorate of Elementary Education Shimla-H.P
- 2 The Deputy Director of Elementary Education, Shimla H.P.
- 3 The Principal/Headmaster GSSS Kaobil 15/20 Distt. Shimla
4. The Nodal Officer Directorate of Elementary Education Shimla,H.P.

03 JUL 2024

शिमला-1


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 July, 2024

ORDER

In the matter of: CWP No: 4394/2024-titled as Karam Singh V/s. State of Himachal Pradesh.

The petitioner has filed CWP No. 4394/2024 titled as Karam Singh V/s State of H.P. in the Hon'ble High Court and seeking his transfer from GSSS Behli,(MND) to any one station mentioned in representation against vacancy or longer stayee by clubbing their stay of previous stations within the radius of 30 Kms. The case was listed before the Hon'ble High Court of H.P. on 21.05.2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

“Learned vice counsel for the petitioner states that since the petitioner intends to represent to the respondents, therefore, he does not want to pursue this writ petition and that he may be permitted to withdraw the same. His statement is taken on record. Accordingly, the writ petition is dismissed as withdrawn. Pending miscellaneous application(s), 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. Karam Singh, TGT (Arts) has attended the personal hearing on 15-06-2024 and has submitted representation, wherein request to transfer him from GSSS Behli (MND) to GSSS Kapahi vice Sh. Yog Raj being longer stayee or GHS Kothi u/c GSSS Gurkotha (MND) against vacancy, in view of his domestic problems.

From the perusal of record, it is found that Sh. Karam Singh, TGT (Arts) is working at GSSS Behli (MND) since 19.12.2020 whereas the enrollment of students is 148 (Aprx.) and two TGTs (Arts-1, Medical-1) are lying vacant in the said school, if the petitioner is transferred from the school as per his request, the students will be left to their fate and will adversely suffer in terms of their study.

Keeping in view the position stated above, representation of petitioner i.e Sh. Karam Singh, TGT (Arts) can not be considered at this stage due to non vacancy and the transfer will affect the study of students in the mid acadmic session. Hence, request made by the petitioner is hereby rejected and disposed of accordingly.

Sell
DIRECTOR

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

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

1. The District Attorney (Edu) Dte. of Ele. Edu. w. r. t. CWP No. 4394/2024.
2. The Deputy Director of Elementary Education, Mandi, H.P.
3. The Principal, GSSS Behli (MND)
4. Sh. Karam Singh, TGT (Arts), GSSS Behli (MND) H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

03 JUL 2024

शिमला-1

W
DIRECTOR