

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: 5483/2024-titled as Suresh Kumar V/s. State of Himachal Pradesh.

The petitioner has filed CWP No. 5483/2024 titled as Suresh Kumar V/s State of H.P. in the Hon'ble High Court and seeking his transfer from GSSS Lohardi, District Kangra to station mentioned in representation against vacancy or longer stayee by clubbing their stay. The case was listed before the Hon'ble High Court of H.P. on 17-06-2024, on this day Hon'ble Court has passed order/judgment. The Operative portion of the present CWP judgement is as under:-

"Taking into consideration the fact that the request of transfer was made by the petitioner in the month of February, 2024, in terms of Annexure P-4, appended with the petition, this petition is disposed of with the direction that appropriate order on the representation of the petitioner be passed by the competent Authority within a period of four weeks' from today and taking into consideration the fact that the petitioner has already completed more than nine years of service at his present place of posting, endeavor be made to place him at a station of his choice, if possible. However, in case, the station of his choice is not available, then, the petitioner may be transferred to some other place, which is not a backward/hard area. Pending miscellaneous 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. Suresh Kumar, TGT (Arts) has attended the personal hearing on 09-07-2024 and has submitted representation, wherein he stated that he has completed normal tenure at his present place of posting and has requested for transfer from GSSS Lohardi, District Kangra either to GMS Dhrun u/c G(G)SSS Jogindernagar/GMS Kass/ GMS Bharyra /GMS Darat (MND) against vacancy or longer stayee by clubbing their previous postings stay.

From the perusal of record, it is found that Sh. Suresh Kumar, TGT (Arts) is working at GSSS Lohardi, District Kangra since 05-12-2014 & completed his 09 years tenure in hard area wherein the enrollment of students is 180 (Aprx.). At present post of TGT (Arts) are not lying vacant in the above mentioned schools. However, one Sh. Prem Singh, TGT (Arts) is working in GMS Dhrun u/c GSSS Jogindernagar(G) (Mandi) since 29.7.2022 and having short stay, but serving within the radius of 03 kilometers (Aprx.) Since 2019. The continuous services rendered by employees of Education Department within a radius of 30 Kms. be considered stay/tenure at one station & such services will be clubbed for calculation of tenure purpose of transfers.

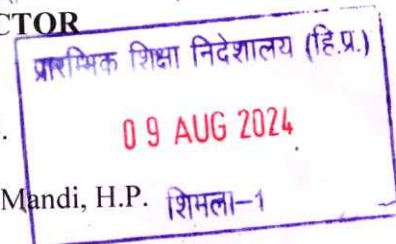
Keeping in view the position stated above, representation of petitioner is considered sympathetically and he is hereby transferred from GSSS Lohardi, District Kangra to GMS Dhrun u/c GSSS Jogindernagar (Girls) Distt. Mandi vice Sh. Prem Singh, TGT (Arts) and vice versa by clubbing his previous postings tenure (with TTA/JT to Sh. Prem Singh, TGT (Arts)). Therefore, representation of the petitioner with the present CWP is disposed of accordingly.

Sellr
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. 5483/2024.
2. The Deputy Director of Elementary Education, Kangra, H.P.
3. The Principal, GSSS Lohardi(Kangra)/GSSS Jogindernagar (Girls) Distt. Mandi, H.P.
4. Sh. Suresh Kumar, TGT (Arts), GSSS Lohardi, District Kangra,H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.



M
DIRECTOR