

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

September, 2024

**ORDER**

In the matter of: CWP No: 5849/2024-titled as Madan Lal Sharma, TGT (Arts) V/s State of Himachal Pradesh.

The petitioner has filed CWP No. 5849/2024 titled as Madan Lal Sharma V/s State of H.P. in the Hon'ble High Court and seeking his transfer from GSSS Baryogi (MND) to station mentioned in representation. The case was listed before the Hon'ble High Court of H.P. on 05-07-2024, 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 the petitioner has filed a representation dated 22-04-2024 (Annexure P-2) with the respondent-Department and this petition be disposed of by directing the competent authority to take appropriate decision thereupon within some time bond period. 3. 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 six weeks from today. Pending miscellaneous application(s), if any also stand disposed of accordingly."*

In compliance to the aforesaid orders passed by the Hon'ble High Court of Himachal Pradesh, the petitioner i.e Sh. Madan Lal Sharma TGT (Arts) has attended the personal hearing on 23-08-2024 and has stated/represented that he has completed normal tenure at his present place of posting (Sub cadre) and has requested for transfer from GSSS Baryogi, District Mandi either to GSSS Pantehra (BLP), GSSS Khanot, GMS Rara Manwara u/c GSSS Khanot (MND), GSSS Salaon, GSSS Nalti or GHS Ladda Chaugan (Mehrin Kathla) Distt. Bilaspur.

From the perusal of record, it is found that Sh. Madan Lal Sharma, TGT (Arts) is working at GSSS Baryogi, Distt. Mandi since 14-05-2021 and completed normal tenure in sub cadre area wherein about 100 students are studying. At present post of TGT (Arts) are not lying vacant in the above mentioned schools, however, one Smt. Anjana Kumari, TGT (Arts) is working in GHS Ladda Chaugan (Mehrin Kathla) Distt. Bilaspur since 29-08-2022 and having short stay, but serving within the radius of 30 kilometers (Aprx.). 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 Baryogi, District Mandi to GHS Ladda Chaugan (Mehrin Kathla) District Bilaspur vice Smt. Anjana Kumari, TGT (Arts) and vice versa by clubbing her previous postings tenure (with TTA/JT to Smt. Anjana Kumari, TGT (Arts)). Therefore, representation of the petitioner with the present CWP is disposed of accordingly.

12 SEP 2024

541-  
DIRECTOR

Endst No.Eyen dated, Shimla-1, the शिमला-1 September, 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. 5849/2024.
2. The Deputy Director of Elementary Education, Mandi/Bilaspur, H.P.
3. The Principal, GSSS Baryokgi (MND)/GHS Ladda Chaugan (BLP), H.P.
4. Sh. Madan Lal, TGT (Arts), GSSS Baryogi, District Mandi, H.P.
5. The Nodal Officer (IT) internal, Directorate of Elementary Education Shimla.
6. The Guard file.

M  
DIRECTOR