17 SEP 2026

No.EDN (SE)-H(7)15823/2026 (Court Case)
Directorate of School Education
Himachal Pradesh.

Dated Shimla-171001 Sept.2026

OFFICE ORDER

Whereas, the Hon'ble High Court of Himachal Pradesh, in CWP No. 15823 of 2026, titled *Vijay Kumar Sharma Vs. State of H.P. & Others*, vide order dated 11.09.2026, was pleased to direct that a fresh consideration order be placed on record on the next date of hearing, i.e. 15.09.2026, and further directed that in case the fresh consideration order is not produced, respondent No. 2 shall remain present before the Hon'ble Court;

And whereas, the petitioner was transferred from GSSS Kharwar (HMR) to GSSS Janglabhood (SMR) against vacancy. Feeling aggrieved with this transfer, the petitioner after joining the place of posting, filed CWP No. 13255 of 2026 titled as Vijay Kumar Sharma Vs. State of H.P. This petition was listed before this Hon'ble Court on 4-8-2026 when the respondents were directed to decide the representation filed by the petitioner. The representation of the petitioner was decided and rejected vide order dated 22-8-2026 on the ground that he has already joined at his new place of posting i.e. GSSS Janglabhood (SMR) and is having short stay.

And whereas feeling aggrieved with the order dated 22-8-2026 the petitioner filed CWP No. 15823 of 2026 which was listed before the Hon'ble Court on 11-9-2026 when the Hon'ble Court passed the following directions:

> *In terms of the above decision respondents were to decide petitioner's representation seeking adjustment at GSSS Patta (Hamirpur) or GSSS Mundkhar (Hamirpur) against vacancies. During pendency of his representation, the petitioner joined at the transferred station, i.e. GSSS Jangla, Bhood (SMR), District Sirmaur. The act of joining of the petitioner at GSSS Jangla Bhoodi was strangely taken against him by respondent No. 2 and on this very ground, impugned office order was passed on 22/8/2026 declining to accommodate the petitioner at either of the stations opted for by him, even though both the stations had available vacancies. Prima facie, mere joining of the petitioner at transferred station cannot be taken against the petitioner for adjusting him at the stations of his choice, as non-joining at the transferred station would have its own adverse consequences against the petitioner. Even otherwise, in terms of the applicable transfer policy, the respondent-State itself impresses upon joining of the incumbent at the transferred station before deciding his representation.*
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> *In the given facts and circumstances, let fresh consideration order be placed on record on the next date of hearing.*

List 15.09.2026. In case the fresh consideration order is not produced, respondent No. 2 shall remain present in court."

And Whereas before proceeding further, without any justification, I the Director of School Education tender my unconditional unqualified and sincere apology with a further prayer that out of the generosity vested with this Hon'ble Court, I may kindly be pardoned for any act of ommission.

And whereas in compliance with the aforesaid directions of the Hon'ble High Court, the matter has been reconsidered afresh by the undersigned on the basis of the material available on record, including the service record of the petitioner, his past postings, his cadre status, the applicable transfer norms and the administrative requirements of the Department;

And whereas, the petitioner is serving as Lecturer (School-New) English and is a State Cadre employee. As such, he is liable to be posted/transferred anywhere within the State of Himachal Pradesh in accordance with the administrative requirements of the Department and the applicable Government instructions/Transfer Policy. No employee belonging to the State Cadre has an absolute or vested right to remain posted at a particular station of his choice;

And whereas, the service record of the petitioner has been examined. It is found that the petitioner was posted as TGT at GSSS Ghandouri, District Sirmaur, w.e.f. 24.08.2000 to 26.07.2004; thereafter at GMS Malg, District Solan, w.e.f. 26.07.2004 to 24.03.2007; and thereafter at GHS Dharon-ki-Dhar, District Solan, w.e.f. 24.03.2007 to 03.04.2008;

And whereas, after his promotion as Lecturer (School-New) English, the petitioner was posted at SCERT Solan w.e.f. 04.04.2008 to 16.07.2012, thereafter at DIET Shamlaghat, District Shimla, w.e.f. 19.07.2012 to 23.03.2013, and again at SCERT Solan w.e.f. 23.03.2013 to 30.06.2021;

And whereas, thereafter, the petitioner was posted at GSSS Bhoranj, District Hamirpur, w.e.f. 30.06.2021 to 08.08.2024 and subsequently at GSSS Kharwar, District Hamirpur, w.e.f. 08.08.2024 to 10.07.2026;

And whereas, subsequently, the petitioner was transferred from GSSS Kharwar, District Hamirpur, to GSSS Jangla Bhood, District Sirmaur, against vacancy, where he joined w.e.f. 01.08.2026;

And whereas, after considering the entire material available on record, the service history of the petitioner, his State Cadre status, his recent postings in District Hamirpur, the nature of his present posting against vacancy and the administrative requirements of the Department, no sufficient ground has been found to justify his adjustment at GSSS Patta or GSSS Mundkhar, District Hamirpur. Moreover, as per "Comprehensive Guiding Principles-2013" for regulation the transfer of State Government employees it is clearly mentioned at Rule-12.1 that no government employee can claim his transfer or posting as a matter of right. It will be the discretion of the State Government to post/transfer any employee anywhere in the State keeping in view of the administrative exigencies/convenience.

Now, therefore, in compliance with the directions contained in the order dated 11.09.2026 passed by the Hon'ble High Court of Himachal Pradesh in CWP No. 15823 of 2026, the matter has been reconsidered, and the request of the petitioner for adjustment at GSSS Patta, District Hamirpur, or GSSS Mundkhar, District Hamirpur, is not feasible.

As per the direction of Hon'ble Court and the above mentioned material with the Department, these consideration orders are submitted for kind perusal of the Hon'ble court for further direction in the matter. However I without any justification tender my unconditional unqualified and sincere apology with a further prayer that out of the generosity vested with this Hon'ble Court, I may kindly be pardoned for any act of omission.

17 SEP 2026

Director School Education
Himachal Pradesh.

Endst No. Even Dated Shimla-171001, the Sept. 2026

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

1. The Distt. Attorney (Edu.) Directorate of School Education, HP.
2. The Deputy Director of School Education (Secondary), Sirmaur, Distt. Sirmaur, H.P.
3. The Principal, GSSS Jangla Bhood, Distt. Sirmaur, HP.
4. The Incharge, IT Cell, DSE, HP to upload the said orders on website.
5. Guard File

Director School Education
Himachal Pradesh.