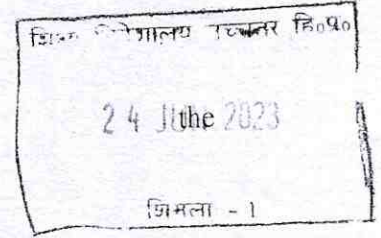


(5)

No.EDN-HE(26)B(6) 13/2023- CWP No.1643 /2023  
Directorate of Higher Education  
Himachal Pradesh

Dated Shimla - 171001



**ORDER**

**Whereas,** the petitioner namely Sh. Ram Mohan, Lect(SN)(Hindi) who is working at GSSS, Korga (Sirmour) w.e.f. 11.05.2018 has filed CWP No. 1643/2023 titled as Ram Mohan vs State of HP before the Hon'ble High Court seeking there in relief regarding his transfer to station of his choice as he has already completed his normal stay at his present place of posting. This petition was listed on 31.03.2023 when the Hon'ble Court has directed that:-

“Accordingly, without advertng to the merits of the case we deem it appropriate to dispose of the writ petition with a directionse the petitioner moves fresh representation before respondent No 2, Director Higher Education, HP, in terms of the Transfer Policy, dated 10.07.2013, within one week from today, the same shall be considered and disposed of by the said respondent expeditiously, in accordance with law, preferable witin two weeks.”

Pending miscellaneous applications, if any, shall also stand disposed of.  
**To come up for compliance on 26.05.2023.”**

**And whereas,** upon passing of above direction and while considering the case of petitioner it was found that the Hon'ble Court has also decided another Civil Writ Petition. No. 1801/2023 on dated 05.04.20223 filed by Smt. Ramesh Bhardwaj, Lect(Hindi) regarding her transfer from GSSS Dhang-Ruhana (Sirmour) to GSSS(G) Paonta-Sahib(Sirmour) on medical grounds of her daughter being cancer patient and Hon'ble Court directed as under:-

“In the given facts and circumstances of the case, we deem it appropriate to dispose of this writ petition by directing respondent No.2/competent authority to consider and decide the representation made by the petitioner sympathetically, in light of the fact that daughter of the petitioner is suffering from cancer and is undergoing treatment at Ambala as also Chandigarh. The entire exercise be completed within two weeks. Ordered accordingly.”

**Now come up for compliance for 19.04.2023.**

**And whereas,** upon passing of above direction and after taking into account the above facts and circumstances of the case and considering the facts, it was decided to transfer Smt. Ramesh Bhardwaj, Lect(Hindi) on humanitarian grounds in the light of the fact that daughter of the petitioner is suffering from cancer, from GSSS Dhang-Ruhana(Sirmour) to GSSS (G) Paonta-Sahib (Sirmour) against vacancy being caused due to retirement of present incumbent on 30.04.2023 and conditional order was issued on dated 17.04.2023 for the compliance on dated 19.04.2023 before the Hon'ble Court.

-Contd.-2/-

And whereas, the petition in r/o Sh. Ram Mohan was listed on 26.05.2023 when the Hon'ble Court adjourned the same for 23.06.2023 with following observation:-

"It has further been submitted by learned Additional Advocate General that in case petitioner submits fresh representation or furnish copy of earlier representation, indicating the vacant stations, case of the petitioner shall be considered within two weeks, after submitting/supply of representation. In case the petitioner submits/supplies representation to the learned Additional Advocate General by next week, then the same shall be decided by the concerned authority in terms of the order passed by this Court, within two weeks thereafter."

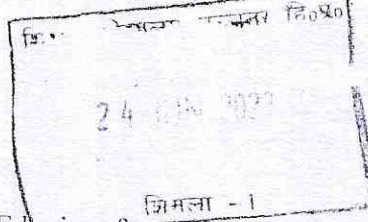
And whereas upon passing of above directions, no fresh representation has been received from the petitioner, however earlier representation dated 01.04.2023 received through Additional Advocate General, the post of Lect(Hindi) in the stations opted by the petitioner is not lying vacant.

Now therefore, after taking into account the above discussed facts and circumstances of the case, the request of the petitioner can not be acceded to. However, the petitioner may file representation within one month for his adjustment against vacant post. With these observations, representation stands disposed of.

Regd.

Sh. Ram Mohan

S/o Late Sh. Ram Swaroop Sharma, R/o Vill. Bhong, P.O. Chakli,  
Teh. Nahan, Distt.Sirmour HP



Director of Higher Education  
Himachal Pradesh

Endst. No. Even dated, Shimla-1, the,  
Copy for information to:-

1. The Distt Attorney(Edu.), Dte. of Hr. Edu. in ref. to CWP No. 1643/2023 Ram Mohan vs State of HP.
2. The Dy. Director of Higher Education Sirmour HP.
3. The Principal, GSSS Korga (Sirmour) HP.
4. Incharge IT Cell to upload the said order on website.
5. The Guard File.

Director of Higher Education  
Himachal Pradesh