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No-EDN-HE(26)B(6)1/2023-CWP No.2508/2024  
Directorate of Higher Education  
Himachal Pradesh

09 MAY 2024

Dated –Shimla -171001 the.

**ORDER**

**Whereas**, the petitioner namely Sh. Yadvinder Sharma, Lecturer English who is working at DIET Lauhal & Spiti at Tandi since 25.05.2021 has filed CWP No. 2508/2024 titled as Yadvinder Sharma seeking there in relief that since he has already completed normal tenure in tribal area thus he may be transferred to soft area.. This petition was listed on dated 26.03.2023, when the Hon'ble Court has directed that :-

**“Accordingly, the writ petition is disposed of with direction to the respondents No. 2 to consider the representation dated 09.06.2022, of the petitioner, within three weeks from today by passing a detailed and reasoned order.”**

**And whereas**, in compliance of Hon'ble High Court order, the petitioner was called for personal hearing on 06.05.2024 and he was heard in person. During the course of hearing he has requested that he may be transferred to DIET Kullu against Sh, Ajeet Bodh, Lect(English) or against any vacancy in DIET Kullu/Mandi/Una/Bilaspur and DIET Shimla.

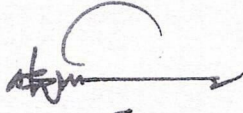
**And whereas**, the request of the petitioner has been considered and found that as the petitioner has not opted any available vacancies and he opted against longer stay for his transfer which cannot be considered as it will lead another litigation. Moreover, as the overall controlling of the DIETs in the State is under State Project Director Samgara Shiksha, HP and he has also requested that as the petitioner has been serving on secondment basis in DIETs i.e at DIET Kullu w.e.f. 24.06.2011 to 30.07.201, DIET Chamba, w.e.f. 01.10.2018 to 24.05.2021 and DIET Lahaul-Spiti w.e.f. 25.05.2021 to till date thus he may be repatriated to his parent department as there is no vacancy of Lect(English) at DIET Kullu, Mandi and Una. Hence, available vacancies in his home Distt. Kullu and adjoining Distt. Mandi were offered to him but he refused to accept any of them. However, keeping in view his stay in tribal area his case is considered for transfer to his home district Kullu in soft area i.e GSSS Katrain(Kullu) and after a gap of 11 years he is being repatriated to his parent department and he should also serve there.

**Now therefore**, after taking into account the above discussed facts and circumstances of the case, the petitioner is hereby repatriated to his parent department and transferred from DIET Lahaul-Spiti at Tandi to GSSS Katrain, Distt Kullu against vacancy with TTA/JT. These order shall be implemented after the Model Code of Conduct.

Accordingly, representation stands disposed of.


**Regd.**

**Sh. Yadvinder Sharma, Lect(English)  
DIET L&S at Tandi, Distt. Lahaul-Spiti H.P**

  
**Director of Hr. 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. 2508/2024
2. The Dy. Director Hr. Education L&S and Kullu (HP)
3. The Principal, DIET Lahaul-Spiti at Tandi/ GSSS Katrain (Kullu) HP.
4. Incharge IT Cell to upload the said order on website
5. Guard File.

  
**Director of Hr. Education  
Himachal Pradesh**