

Government of Himachal Pradesh
Department of Higher Education

ORDER

No. EDUB-B06-1/2024.

Dated: Shimla-2, the

P.S. Cell
DHE.
12 AUG 2024
2024.

Whereas, Dhian Singh, Principal is working at GSSS Chowki Mirgwal Distt. Sirmour w.e.f. 31.5.2023.

He has filed a CWP No. 5848 of 2024 seeking transfer to the place of his choice being couple case and in view of ailments of his mother. The Hon'ble High Court has decided the matter on dated 26.07.2024, the operational part of the order is as under:-

"This writ petition is accordingly disposed of with the direction thata the representation filed by the petitioner be decided in light of the averments made therein within a period of four weeks from today. Pending miscellaneous application(s), if any, also stand disposed of accordingly."

A representation of the petitioner was received on 29.06.2024 through his Counsel in which he has submitted that he is going to be retired from service in April, 2026. His wife is also posted at GSSS Saloni Distt. Hamirpur and as per clause 5.4 of the applicable transfer policy, they are to be adjusted at the same station subject to vacancy. He has further submitted that his mother is suffering from grave disease i.e. Acute heart ailment and Nephropathy and due to long distance between Chowki Mirgwal in Distt. Sirmour, he is not in a position to look after his family. Therefore, he has requested to adjust him at GSSS Barsar Distt. Hamirpur against vacancy.

Further, as per the information gathered from his service record, Sh. Dhian Singh, Principal remained posted in Hamirpur and Kullu Distt. except for six months in Distt. Kangra throughout his career. He remained posted at the following stations i.e. GMS DK Chong u/c GHS Jallugran (from:19.12.1004 to 21.06.1999) Distt. Kullu, GHS Lower Hareta (from:25.06.1999 to 09.07.1999), GMS Jayoti Deral U/c GHS Dandru (from 09.07.1999 to 16.06.2003), GSSS Bahnwin (16.06.2003 to 16.12.2006), GSSS Jharalri (from:16.12.2006 to 21.05.2010), GSSS Bani (from:22.05.2010 to 17.05.2016), GSSS Mair (from:17.05.2016 to 20.07.2018), GSSS Biar

(from:20.07.2018 to 18.12.2020) Distt. Hamirpur, GSSS Sudhangal Distt. Kangra (from:18.12.2020 to 21.06.2021), GSSS Salauni (from:21.06.2021 to 08.02.2023) Distt. Hamirpur, GHS Rower Distt. Kullu (from:09.02.2023 to 30.05.2023), GSSS Chowki Mirgwal Distt. Sirmour (from:31.05.2023 to till date). Thus, he has served in Hamirpur and Kullu District except for six months in Distt. Kangra.

Further, it is also pertinent to mention that Sh. Dhian Singh was promoted as Principal on 31.05.2023 and posted in GSSS Chowki Mirgwal Distt. Sirmour. He at that time did not forego the promotion and willingly joined at GSSS Chowki Mirgwal Distt. Sirmour. He did not raised the point of ailment of his mother at that time and did not make any request for a particular station. Now after a tenure of only one year and two months, he is seeking his adjustment which does not seem appropriate.

He has not completed his normal tenure there and thus, he cannot claim transfer as matter of right. His claim on medical grounds is also not admissible as every employee has one or the other problem. Old parents, health issues and family obligations cannot be the basis of transfers. Therefore, his representation is rejected and he is directed to continue at GSSS Chowki Mirgwal.

(Rakesh Kanwar), IAS
Secretary (Education) to the
Government of Himachal Pradesh

REGISTRED POST

Sh. Dhian Singh, Principal,
GSSS Chowki Mirgwal Distt. Sirmour.

Endst. No as Above

Dated Shimla-2 the

12-8-2024.

Copy is forwarded to the following for information/necessary action.

1. The Director of Higher Education, H.P. Shimla-1 for uploading the same on the official website of the Department .
2. The Joint Secretary (Education) to the Govt. of HP w.r.t. CWP No. 5848 of 2024.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No.5848 of 2024.
4. The Deputy Director of Higher Education Sirmour with the direction to ensure the delivery of this order to the concerned Principal, H.P and for the purpose of joining relieving.
5. Guard file.

(Anil Kumar)
Under Secretary (Hr. Education) to the
Government of Himachal Pradesh