

Government of Himachal Pradesh
Department of Higher Education

ORDER

P.S. Cell:
DHE.....

12 AUG 2024

Branch
12-2-2024.

No. EDUB-E05/15/2023

Dated: Shimla-2, the

Whereas, Smt. Manju Devi, Principal, is working at GSSS Dharotdhar District Mandi w.e.f.29.05.2023.

She has filed a CWP No. 5850 of 2024 seeking transfer to the place of her choice in view of adverse health condition of her mother. The Hon'ble High Court has decided the matter on dated 26.06.2024, the operational part of the order is as under:-

"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 four weeks from today. Pending miscellaneous application(s), if any, also stand disposed of accordingly."


A representation of the petitioner was received on 06.07.2024 in which she has submitted that she has been promoted as Principal on 27.5.2023 and posted at GSSS Dharotdhar Tehsil Chachiot Distt. Mandi. Her 75 years old mother is suffering from serious illness of heart as well as disk problem and mostly she is bed ridden and under treatment from PGI Chandigarh. She has also submitted that her husband is also serving as Lecturer Economics and posted in SDN GSSS Maloh Tehsil Sundernagar Distt. Mandi..Being couple case, she has further requested to transfer her at GSSS Mahadev Sundernagar Distt. Mandi or GSSS Tawan Tehsil Balh Distt. Mandi.

Further, as per the information gathered from her service record, Smt. Manju Devi, Principal, remained posted in Mandi District throughout her career. She remained posted at the following stations i.e. GSSS Karsog (from: 29.10.99 to 02.03.2007), GSSS Dehar (from:05.03.2007 to 20.04.2012), GSSS BSNR (from:20.04.2012 to 26.03.2015), GSSS Salapper (from:26.03.2015 to 27.10.2016 & 05.11.2016 to 19.12.2016), GSSS Taleli (from:30.12.2016 to 04.08.2021), GSSS Dhawal (from:04.08.2021 to 29.05.2023), GSSS Dharotdhar (from:29.05.2023 to till date). Thus, she has served in one District only & was never transferred out of District.

Further, it is also pertinent to mention that Smt. Manju Devi was promoted as principal on 27.05.2023 and posted in GSSS Dharotdhar Distt. Mandi. She at that time did not forego the promotion and willingly joined at GSSS Dharotdhar Distt.

Mandi. She did not raised the point of ailment of her 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, she is seeking her adjustment which does not seem appropriate.

She has not completed her normal tenure there and thus, she cannot claim transfer as a matter of right. Her 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, her representation is rejected and she is directed to continue at GSSS Dharotdhar.


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

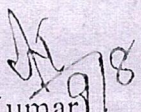
REGISTERED POST

Smt. Manju Devi, Principal,
GSSS Dharotdhar Distt. Mandi.

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. 5850 of 2024.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No.5850 of 2024.
4. The Deputy Director of Higher Education Mandi 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