

12 AUG 2024

Branch

Government of Himachal Pradesh  
Department of Higher Education**ORDER**

No. EDUB-B06-9/2023

Dated: Shimla-2, the 12.08.2024.

Whereas, Sh. Rakesh Sharma, Principal is working at GSSS Tatiana Distt. Sirmour w.e.f.15.12.2023

He has filed a CWP No. 6111 of 2024 seeking transfer to the place of his choice in view of ailments of his mother. The Hon'ble High Court has decided the matter on dated 02.07.2024, the operational part of the order is as under:-

*"Accordingly, without expressing any opinion on the merits of the case, this petition is disposed of with the direction that if the petitioner does approaches the authority for his adjustment at some other station on the grounds that have been averred in the petition, then the same be decided sympathetically within a period of two weeks as from the date of the receipt thereof. Pending miscellaneous applications, if any, also stand disposed of."*

A representation of the petitioner was received on 06.07.2024 in which he has submitted that his 92 years old mother is residing at Village Tihri PO Phahal Tehsil Galore Distt. Hamirpur and suffering from various ailments. He has further stated that he is only son and there is no one in the family to look after her. He may be transferred to GSSS Upper Hareta or Lower Hareta, or GSSS Barsar, or GSSS Bhota, or GSSS Ladaur, or GSSS Kakriar, or GSSS Sera in District Hamirpur or GSSS Dhanet or GSSS Arloo in Distt. Una.

Further, as per the information gathered from his service record, Sh. Rakesh Sharma, Principal remained posted in District Chamba, Hamirpur, Kullu except in Distt. Kangra for nine months throughout his career. He remained posted at the following stations i.e. GSSS Sihunta Distt. Chamba (from:29.10.1999 to 30.09.2002), GSSS Galore (from:01.10.2002 to 15.06.2006), GSSS Dhangota (from:15.06.2006 to 16.04.2008), GSSS Galore (from:17.04.2008 to 25.07.2013) Distt. Hamirpur, GSSS Neether Distt. Kullu (from:29.07.2013 to 26.09.2016), GSSS Bathra Distt. Kangra (from:29.09.2016 to 29.06.2017), GSSS Lower Hareta (from:30.06.2017 to

20.07.2019), GSSS Galore (from:20.07.2019 to 02.05.2022), GSSS Kashmir Distt. Hamirpur (from:02.05.2022 to 14.12.2023), GSSS Tatiana Distt. Sirmour (from:15.12.2023 to till date). Thus, he has served in Distt. Hamirpur, Kullu and Chamba except in Distt. Kangra for nine months.

Further, it is also pertinent to mention that Sh. Rakesh Sharma was promoted as Principal on 15.12.2023 and posted in GSSS Tatiana Distt. Sirmour. He at that time did not forego the promotion and willingly joined at GSSS Tatiana Distt. Sirmour. He did not raise 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 seven 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 a 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 Tatiana.

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

**REGISTRED POST**

**Sh. Rakesh Sharma, Principal,  
GSSS Tatiana Distt. Sirmour.**

Endst. No as Above

Dated Shimla-2 the

12-2-2024.

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. 6111 of 2024.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No.6111 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) 9/8  
Under Secretary (Hr. Education) to the  
Government of Himachal Pradesh