

No. EDN-HE (26) B(6) 1/2022- Biology
Directorate of Higher Education
Himachal Pradesh, Shimla-1

Dated: Shimla-1, the 16-08-2022

"ORDER"

Whereas the petitioner Smt. Vandna Kumari, Lect./Lect.(SN) Chemistry is working at GSSS Darlaghat, Distt. Solan w.e.f. 15.12.2018 & as such her stay is complete. Now she is seeking her transfer to the station of her choice and filed CWP No 8017/2021 titled as Vandna Kumari Vs State of H.P. This petition was listed before Hon'ble High Court on dated 27.12.2021 when the same was finally disposed with the directions to respondents as under:-

"The petitioner has filed the petition under Article 226 of the constitution of India, seeking following relief(s):-


- iii) That the act of omission and commission of the respondent by not deciding the representation dated 30.06.2021 and 22.10.2021 without assigning reason may kindly be quashed and set-aside.
- iv) That by way of writ mandamus the respondent No. 1 may kindly be directed to decide the representation dated 30.06.2021 and 22.10.2021 i. e Annexure P-3 and Annexure P-4 forthwith."

Learned counsel for the petitioner has submitted that the petitioner had joined as a Trained Graduate Teacher (TGT) at Government Senior Secondary School, Chharol, Distt. Bilaspur, in October, 2008. Presently, the petitioner is posted as a Lecturer at Government Senior Secondary School Darlaghat, Distt. Solan since 2018. Husband of the petitioner is working as an Assistant Professor (Chemistry) in Government Degree College Bilaspur. Petitioner has completed her normal tenure at the present place of posting. Petitioner has moved a representation to respondent No. 2, Director Higher Education to consider her transfer to a place near the place of posting of her husband as it is a couple case. But no action has been taken on the said representation so far.

Accordingly, without adverting to the merits of the case, we deem it appropriate to dispose of the writ petition by directing respondent No. 2- Director, Higher Education to decide representation (Annexure P-4) moved by the petitioner expeditiously, in accordance with law, preferably within two weeks from the date of receipt of copy of this order. Pending miscellaneous application(s), if any, also stand disposed of."

And whereas upon passing of above directions, the representation dated 13.07.2022 has been perused and examined and it has been observed that she has requested for her transfer either at GSSS Amarpur, Distt. Bilaspur against vacancy after starting science classes in the ongoing session.

Now therefore, after taking into account the above discussed facts and circumstances of the case, the request of the petitioner has been considered and accepted to the extent that she may represent a fresh as and when the vacancy exists as per her choice of stations and same will be decided separately as per transfer policy. Accordingly her representation stand disposed of.


Director Higher Education
Himachal Pradesh

P.T.O.

Regd.

Smt. Vandna Kumari, Lect./Lect.(SN) Chemistry

w/o Sh. Sarwan Kumar, E-7, College colony, Govt Colege Bilaspur, (BLP), HP. 174001.

Endst No. Even

dated:

Shimla-1

Copy for information to:

1. The District Attorney (Education) Directorate of Hr. Education, in reference to CWP No. 8017/2021-titled in the matter of Vandna Kumari Vs State of H.P. & others.
2. The Principal, GSSS Darlaghat, Distt. Solan, HP.
3. The Deputy Director of Higher Education Solan, HP.
4. The Supdt. Legal cell, Directorate of Higher Education, Shimla-1
5. The Incharge IT Cell, (DHE) to upload the said order on website.
6. Smt. Vandna Kumari (Petitioner), Lect./Lect.(SN) Chemistry, GSSS Darlaghat, (SLN)
7. Guard file.

फाइल नम्बर 13-4157-18340
20 AUG 2022

Director Higher Education
Himachal Pradesh