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शिमला हिमाचल प्रदेश
03 OCT 2023

No. EDN-HE (26) B(6) 24/2023
Directorate of Higher Education
Himachal Pradesh, Shimla-1

Dated: Shimla-1, the _____

"ORDER"

Whereas the petitioner Kuldeep Chand, Lect./Lect.(SN) Commerce was transferred from GGSSS Nadaun, Distt. Hamirpur to GSSS Kafota, Distt. Sirmour against vacancy, with TTA/JT. Feeling aggrieved he filed CWP No 5886/2023 titled as Kuldeep Chand Vs State of H.P before the Hon'ble High Court. This petition was listed before Hon'ble High Court on dated 29.08.2023 when the same was finally disposed with the directions to respondents as under:-

"Learned counsel for the petitioner submitted that the petitioner had short tenure at his present place of posting ay Nadaun. He further submitted that petitioner's wife is also serving as TGT (Medical) at GHS Mann Tareti, under complex GSSS Jalari, Distt. Hamirpur. Hence, petitioner is entitled to concession available to couples under Clause 5.4 of the applicable transfer policy. Learned Advocate General submitted that the petitioner has remained posted within a distance of 7 kilometres ever since the year 2012.

Learned counsel for the petitioner submits that the petitioner would be content in case he is permitted to make a representation to respondent No. 2 seeking his adjustment, where after, the competent authority be directed to decide the same within a time bound schedule.

In view of the above submissions, this writ petition is disposed of by permitting the petitioner to make a representation to respondent No. 2 within two days from today, which shall be considered and decided by respondent No. 2/ competent authority in accordance with law and applicable policy, within a period of one week thereafter. The decision so arrived at shall also be communicated to the petitioner.

The writ petition stands disposed of in the above term, so also the pending miscellaneous application(s), if any.

And whereas upon passing of above directions, the representation dated 02.09.2023 has been perused and examined and it has been observed that he has requested for his transfer either at GSSS Bharoli Kohala,(KGR)/ GSSS Adhwani, (KGR)/ GSSS Surani, (KGR) against vacancy or may be allow to continue at GGSSS Nadaun, (HMR).

And whereas, now therefore, after taking into account the above discussed facts and circumstances of the case, the request of the petitioner has been considered and rejected and his transfer order earlier issued on dated 26.08.2023 to GSSS Kaffota, Distt. Sirmour shall stand. Accordingly his representation stand disposed of.

Director Higher Education
Himachal Pradesh

Regd.

1. Sh. Kuldeep Chand, Lect./Lect.(SN) Commerce
S/o Sh. Jagat Ram, Vill- Naghoon, PO- Jalari, Tehsil- Nagaun, Distt. Hamirpur, (HP) 177042
Endst No. Even dated: Shimla-1

Copy for information to:

2. The District Attorney (Education) Directorate of Hr. Education, in reference to CWP No. 5886/2023-titled in the matter of Sh. Kuldeep Chand Vs State of H.P. & others and in apprise to Hon'ble High Court to accordingly please.
3. The Deputy Director of Higher Education Hamirpur/ Sirmour
4. The Principal, GGSSS Nadaun, (HMR)/ GSSS Kafota, (SMR)/ GSSS, HP.
5. The Supdt. Legal cell, Directorate of Higher Education, Shimla-1
6. The Incharge IT Cell, (DHE) to upload the said order on website.
7. Sh. Kuldeep Chand (Petitioner), Lect./Lect.(SN) Commerce, GGSSS Nadaun, (HMR)
8. Guard file.

Director Higher Education
Himachal Pradesh