

Government of Himachal Pradesh
Department of Higher Education

File Cell THE...	27 AUG 2024
Branch	42

ORDER

No. EDN-B-B(6)-7/2023

Dated: Shimla-2, the 26-08-2024.

Whereas, Sh. Pradeep Kumar, Principal is under order of transfer from the O/o Dy. Director, Elementary Education, Hamirpur to GSSS Khuhan Distt. Mandi vide Notification No EDN-B-B(6)-7/2023 dated 29.07.2024.

He has filed a CWP No. 7943 of 2024 Pradeep Kumar Vs. State of HP & others seeking cancellation of his transfer order or adjustment in Hamirpur District keeping in view his superannuation in April, 2025. Hon'ble High Court has passed following orders on 21.08.2024:-

"Learned counsel for the petitioner apprises the Court that the age of Shri Anil Kumar is 45 years as he was born in the year 1979 and the age of Sh. Onkar Singh is 57 years as he was born in the year 1967.

That being the case, it is not understood as to why the petitioner who had less than one year to superannuate, cannot be adjusted in District Hamirpur, when in terms of the impugned transfer order, Sh. Anil Kumar, who is in his mid forties, has been adjusted by the respondents in District Hamirpur.

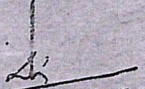
Learned Additional Advocate General submits that the matter be taken up after two days, to enable him to have instructions in this regard. List on 28.08.2024 as prayed for."

Whereas, Sh. Pradeep Kumar, Principal is under order of transfer from O/o Dy. Director, Elementary Education, Hamirpur to GSSS Khuhan Distt. Mandi after completion of his normal tenure which is more than three years at the present place of posting. Further, GSSS Khuhan neither falls under hard, difficult nor tribal area. Sh. Pradeep Kumar, Principal, out of his service career has remained posted at District Hamirpur for a long period of about 16 (sixteen) years. The State Government has imposed complete ban on transfers in Education Department from 31.07.2024. The Petitioner Sh. Pradeep Kumar, Principal has been transferred to a school against the resultant vacancy. The date of retirement of the petitioner cannot be considered as the Principal (School) is a Class-I post and the State Govt. can post him anywhere in the State. Therefore, he cannot be adjusted at some other nearby station in Hamirpur District at this point of time.

Sh. Gopal
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However, keeping in view his superannuation in April, 2025, it will be appropriate to post him at GSSS Geharwin Distt. Bilaspur against vacancy which is about 50 Kms from his residence and having better transport facilities. It is more convenient and approachable station than GSSS Khuhan Distt. Mandi. Therefore, he is ordered to be adjusted at GSSS Geharwin Distt. Bilaspur against vacancy.


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

REGISTRED POST

**Sh. Pradeep Kumar, Principal
O/o Dy. Director, Ele. Education
Hamirpur.**

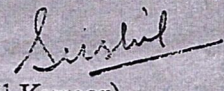
Endst. No as Above

Dated Shimla-2 the

24-02-2024.

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. 7943 of 2024.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No. 7943 of 2024.
4. The Deputy Director of ~~Ele.~~ Education Hamirpur ^{Bilaspur} 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.


(Sushil Kumar)

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