

Government of Himachal Pradesh
Department of Higher Education

ORDER

Pd Cell DHE..	102289
13 JAN 2025	
Branch	42

No. EDUB-E05/12/2023

Dated: Shimla-2, the 10-1-2025.

Whereas, Smt. Bindra Devi, Principal, presently working at GSSS Khakriana Tehsil Balh District Mandi w.e.f. 01.03.2023.

Further, she has filed a CWP No.9155 of 2024 seeking transfer to the place of her choice in view of adverse health condition of her husband. The Hon'ble High Court has disposed of the matter on dated 02.09.2024, the operational part of the order is as under:-

"Though the Court is not convinced on the grounds raised in the petition, but as prayed for by learned counsel for the petitioner, this petition is disposed of with the direction that representation filed by the petitioner be decided by the Competent Authority within a period of four weeks from today. it is clarified that this Court has not made any observation as far as the issues raised in the petition are concerned."

Whereas, it is pertinent to mention here that Smt. Bindra Devi, had earlier approached the Hon'ble High Court vide CWP No. 6171 of 2024 wherein the Hon'ble Court had directed vide order dated 03.07.2024 to decide the representation of Smt. Bindra Devi. Accordingly, the representation of Smt. Bindra Devi was considered and decided vide order dated 12-08-2024.


Whereas, Smt. Bindra Devi, Principal GSSS Khakhriana, Distt. Mandi once again approached the Hon'ble High Court through present writ petition in which the Hon'ble High Court has disposed of the petition on 02.09.2024 with the direction to decide the representation of the petitioner as mentioned above.

Whereas, the representation of Smt. Bindra Devi has been examined and it has been found that the petitioner has raised the same points and has requested for same relief. No new facts have been brought to the notice of the undersigned and there is no justification for the relief claimed.

Further, it is a matter of transfer which is part of the job and it can not be claimed as a right by the petitioner to stay at a particular place. Her claim that she should posted at a particular place is not only contrary to service rules but also impinges on the right of the employee who is posted at that place. She has remained posted within her home District since her first posting in 1995. On promotion to the post of Principal, she has been posted within the district only and she joined at that place of posting as Principal. She had the option to forego promotion which she did not do. Relationship of employee and employer is bound by rules and procedures and she can not claim to be above the rules and service conditions.

It is pertinent to note that on her promotion, she was posted at GSSS Shaindhal as Principal where she remained posted from 23.05.2022 to 28.02.2023. Then she filed a petition in the Hon'ble High Court and "on her own request" she was transferred to GSSS Khakriana where she joined on 01.03.2023. Now she does not want to be work there and wants to be transferred to another School. This behaviour and conduct is unbecoming of a government servant. Therefore, her request can not be considered.

Now therefore, the undersigned finds no reasonable justification to change the earlier decision made vide order dated 12-08-2024. Hence, the representation is rejected and disposed of accordingly.


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

REGISTERED POST

**Smt. Bindra Devi, Principal,
GSSS Khakriana Distt. Mandi**

Endst. No as Above

Dated Shimla-2 the

10 - / - 2025.

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. 9155 of 2024.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No. 9155 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