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**No. EDN-HE (26) B(6) 1/2020- Biology
Directorate of Higher Education
Himachal Pradesh, Shimla-1**

Dated: Shimla-1, the _____

"ORDER"

Whereas the petitioner Sh. Kishori Lal, Lect./Lect.(SN) Biology was transferred from GSSS Saigaloo, Distt. Mandi to GSSS Drubbal, Distt. Mandi vice Sh. Sanjay Kumar, Lect./Lect.(SN) Biology & vice versa is. Now he is seeking his adjustment continue at present place of his posting and filed CWP No 5044/2021 titled as Kishori Lal Vs State of H.P before the Hon'ble High Court. This petition was listed before Hon'ble High Court on dated 05.10.2021 when the same was finally disposed with the directions to respondents as under:-

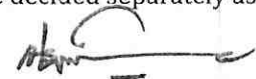
"Consequently, in view of the decision rendered by this Court in CWP No. 2862 of 2021, titled as Vipender Kalta Vs State of H.P. decided on 20.07.2021, the impugned transfer order dated 28.08.2021 (Annexure P-2) is quashed and set aside. However it is noticed that the private respondent has made a representation on account of individual hardship being faced by him, more particularly the medical condition of his father, which prompted him to approach the local pradhan for the recommendation.

In the given facts and circumstances of the case, we deem it proper to permit the private respondent to make a representation setting out station of his choice preciously within a period of one week from today, which shall positively be considered by the respondents sympathetically in light of the judgement of the Hon'ble Supreme Court in Rajendra Roy Vs Union of India nad another (1993) 1 SCC 148 within a period of three weeks thereafter. The instant petition is disposed of in the aforesaid terms, so also the pending miscellaneous application(s), if any."

And whereas upon passing of above directions, the representation of respondent dated 10.11.2021 has been perused and examined and it has been observed that he has requested for his transfer either at GSSS Majhwar,(MND)/ GSSS Gohar, (MND)/ GSSS Pairi, (MND) against vacancy being caused due to promotion of present incumbents.

And whereas, as per transfer policy the incumbent posted at the stations of choice of the petitioner cannot be transferred in short stay. However he can be transferred any where against available vacancy if he opt for the same.

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


Director Higher Education
Himachal Pradesh

Regd.


1. Sh. Kishori Lal, Lect./Lect.(SN) Biology
s/o Late Sh. A.S. Thakur, P.O- Saigaloo, Teh. Kotli, Distt. Mandi (HP)
 2. Sh. Sanjay Kumar, Lect./Lect.(SN) Biology, GSSS Drubbal, Distt. Mandi(HP)
- Endst No. Even dated: Shimla-1

Copy for information to:

1. The District Attorney (Education) Directorate of Hr. Education, in reference to CWP No. 5044/2021-titled in the matter of Sh. *Kishori Lal* Vs State of H.P. & others and in apprise to Hon'ble High Court to accordingly please.
2. The Principal, GSSS Drubbal, Distt. Mandi, HP.
3. The Principal, GSSS Saigaloo, Distt. Mandi, HP.
4. The Deputy Director of Higher Education Mandi, 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. Kishori Lal (Petitioner), Lect./Lect.(SN) Biology, GSSS Saigaloo, (MND)
8. Sh. Sanjay Kumar, Lect./lect.(SN) Biology, GSSS Drubbal, Distt. Mandi, HP.
9. Guard file.

शिक्षा निदेशालय उच्चतर शिक्षा

23 NOV 2021


Director Higher Education
Himachal Pradesh