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No. EDN-HE(26)B(6)1/2021-CWP.No.2508/2021
Directorate of Higher Education
Himachal Pradesh

Dated Shimla-171001 the,

"ORDER"

Whereas the petitioner Smt. Kavita Kapoor, Lect./ Lect.(School New) Chemistry was transferred from DIET Mandi, Distt. Mandi to GGSSS Sultanpur, Distt. Kullu vice Sm. Kavita, Lect./ Lect.(School New) Chemistry & vice-versa on dated 12.04.2021, feeling aggrieved against these orders, she filed CWP No.2508/2021 titled as Kavita Kapoor vs State of H.P. before the Hon'ble High Court. This case was listed before Hon'ble High Court on dated 22.04.2021 when the same was finally disposed of with directions to as under:

"Consequently, this petition is disposed of with liberty to the petitioner to make representation to the first respondent, within one week, in accordance with the transfer policy. On receipt of such representation, the said respondent shall decide the same, strictly in the light of transfer policy occupying the field, within two weeks thereafter. Till then, the impugned order of transfer dated 16.04.2021 (Annexure P-@), shall remain stayed, if the petitioner has not already been relieved."

And whereas upon passing of above directions, the petitioner represented to the Secretary (Education) to the Govt of HP on dated 26.04.2021 who further forwarded the same to this Directorate with the direction to decide the same at the earliest. As per the representation of the petitioner it has been requested that the earlier transfer orders dated 12.04.2021 may kindly be cancelled due to his family problem & as she cannot join at the transferred station.

And whereas, the petitioner was posted in the DIET Mandi (HP) on secondment basis and as per the NOC given by the borrowing agency i.e. The State Project Director, Samagra Shiksha(SS) HP, she has already completed her normal tenure at the said station. Accordingly she was transferred/ repatriated to the parent department and posted as such in GGSSS Sultanpur (Klu). As per her representation she did not opt for her adjustment against the available vacancies in the state, but prayed for cancellation of her transfer order which is not in order as per transfer policy and she should give her valuable services in the interest of the students studding in GGSSS Sultanpur (Klu).

Now therefore, after taking into account all the facts and circumstances of the case; the request of the petitioner Smt. Kavita Kapoor, Lect./ Lect.(School New) Chemistry has been considered and rejected on the above stated grounds. Hence, transfer orders dated 12.04.2021 shall stand and representation is disposed of accordingly.

Director Higher Education
Himachal Pradesh

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Regd.


1. Smt. Kavita Kapoor, Lect./ Lect.(School New) Chemistry
W/o Sh. Arvind Kapoor, Bhawani Niketan, Chobata Street, Mandi, (H.P)

Endst No. Even dated: Shimla-1,

Copy for information to:

1. The Secretary (Education) to the Govt of HP wrt his letter No EDN-B-B(15)-7/2020 dated 05.05.2021.
2. The District Attorney (Education) Directorate of Hr. Education, in reference to CWP No. 2508/2021 titled as Kavita Kapoor Vs State of H.P Lect.(Chemistry).
3. The Dy. Director of Higher Education, Mandi / Kullu, (H.P.)
4. The Principal, DIET Mandi, Distt Mandi (H.P).
5. The Principal, GGSSS, Sultanpur, Distt. Kullu, (H.P)
6. Incharge, IT Cell (Int) DHE, HP with the request to upload this order on deptt website.
7. Guard file.




Director Higher Education
Himachal Pradesh