

No-EDN-HE(26)B(6)1/2023-CWP No.8088/2023  
Directorate of Higher Education  
Himachal Pradesh

Dated -Shimla -171001 the.

**ORDER**

Whereas, the petitioner namely Sh. Subhash Kumar, Lecturer (SN) History who is working at GSSS Gunaha (Solana) w.e.f. 24.09.2022 has filed CWP No. 8088/2023 titled as Subhash Kumar Vs State of HP before the Hon'ble High Court seeking there in relief regarding his transfer to a station of choice on the medical grounds of his son. This petition was listed on dated 20.10.2023 when the Hon'ble Court has given following directions:-

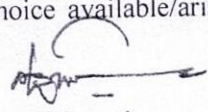
**“ Accordingly, the petition is disposed of without advertent to the merits of the case, with the direction to respondent No. 2 to consider and decide the representation of the petitioner, Annexure P-2, by passing a detailed speaking order within one week from today. While deciding the representation of the petitioner, respondent No. 2 shall take into account the individual hardship of the petitioner which has been caused on account of disability of his son.”**

And whereas, upon passing of above direction the representation of the petitioner has been received, vide which he has requested that his family circumstances are not favourable as his mother is bed ridden due to paralytic stroke and his son is 75% handicapped due to this it is very difficult to him to manage his family affairs from his present place of posting. Hence, he may be transferred to GSSS Hatwar(Bilaspur) against vacancy being caused due to retirement of present incumbent on 31.10.2023.

And whereas, as per the direction passed by the Hon'ble Court as above, a request of the petitioner has been considered and found that as the petitioner has opted only one station i.e. GSSS Hatwar(Bilaspur) for his transfer, but said request could not be considered due to some administrative reasons and at present post Lect(History) is not lying vacant at GSSS Hatwar (Bilaspur). However, available vacancies of Lect(History) in district Bilaspur were offered to him on account of disability of his son, as he has joined at GSSS Gunaha (Solana) on 24.09.2022 on his promotion as Lect.(History)(School New) and as per transfer policy he has not completed his normal stay. Moreover, during his entire services he has served mostly in district Bilaspur. As prior to his promotion as Lect(History) he served as TGT since 24.06.2016 to 24.09.2022 within the radius of 25 KMs in district Bilaspur and only for less than two years in GSSS Kungal-Balti in district Shimla and earlier as JBT he also served in district Bilaspur. He has joined at his present station to avail the promotional benefit.

Now therefore, after taking into account the above discussed detailed facts and circumstances, the request of the petitioner can not be acceded to. Hence, representation is hereby disposed of with the direction that he may represent a fresh as and when any vacancies of his choice available/arise in particular area and till then he will continue at GSSS Gunaha Distt. Solana.

May inform the parties accordingly.

  
Director of Hr. Education  
Himachal Pradesh

**Regd.**


Sh. Subhash Kumar Lect(SN)(History)

GSSS Gunaha, Distt. Solan HP

Endst. No. Even dated; Shimla-1, the,

Copy for information to:-

1. The Distt Attorney(Edu.), Dte. of Hr.Edu. in ref. to CWP No. 8500/2022.
2. The Dy. Director Hr. Education Sirmour(HP)
3. The Principal, GSSS, Gunaha (Solana) HP.
4. Incharge IT Cell to upload the said order on website
5. Guard File.

  
Director of Hr. Education  
Himachal Pradesh