

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p data-bbox="643 353 911 383">WPSS 1498/2022</p> <p data-bbox="643 387 1302 423"><b><u>Hon'ble Manoj Kumar Tiwari, J.</u></b></p> <p data-bbox="643 465 1487 591">Mr. Anil Anthwal, Advocate, i/b Ms. Gyan Mati Kushwaha, Advocate for the petitioner.</p> <p data-bbox="643 629 1487 710">Mr. P.C. Bisht, Additional CSC, for the State/respondents.</p> <p data-bbox="643 748 1487 1144">Petitioner was appointed as Assistant Teacher, L.T. (Music) in 2016 and ever since her appointment, she remained posted in Government Girls Inter College, Bhawali in District Nainital. Now, vide order dated 21.7.2022, petitioner has been transferred to Government Girls Inter College, Khetikhan in District Champawat. Hence, this writ petition.</p> <p data-bbox="643 1182 1487 1666">Petitioner has challenged her transfer mainly on the ground that she has serious health issues and, therefore, she would face great difficulty if she is made to join at the transferred place. Learned Counsel for the petitioner also contended that petitioner has a minor son and there is no one in the family to take care of him. Learned Counsel further contended that petitioner has served at Bhawali only for around six years.</p> <p data-bbox="643 1704 1487 1964">Learned State Counsel submitted that petitioner has rightly been transferred as she has served at Bhawali, a <i>Sugam</i> place, for sufficiently long period of time and, therefore, she was liable to be transferred to a <i>Durgam</i> place.</p> <p data-bbox="788 2002 1487 2031">Transfer is an incidence of service.</p>

Therefore, in the absence of any infraction of statutory provisions, there is no scope of interference, especially when there is no allegation of malice or ill will against anyone.

However, having regard to the personal difficulty highlighted by the petitioner, writ petition is disposed of with liberty to the petitioner to make a representation before the Director, Secondary Education, Dehradun and if such a representation is made by 5.8.2022, decision thereupon shall be taken within three weeks thereafter.

Petitioner shall be at liberty to send her representation along with soft copy of this order through e-mail.

For a period of four weeks or till the decision on petitioner's representation, whichever is earlier, there shall be status quo qua the posting of petitioner.

**(Manoj Kumar Tiwari, J.)**  
**29.7.2022**

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