



IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA

CWP No.2404 of 2023

Decided on: 28th April, 2023

Sh. Baldev Singh

....Petitioner

Versus

State of H.P. and others

.....Respondents

Coram

The Hon'ble Mr. Justice Vivek Singh Thakur, Judge

The Hon'ble Mr. Justice Sushil Kukreja, Judge

¹ Whether approved for reporting?

For the petitioner:

Mr. V.S. Chauhan, Senior Advocate with
Mr. Rajul Chauhan, Advocate.

For the respondents:

Mr. Anup Rattan, Advocate General with
Mr. Varun Chandel, Additional Advocate
General.

Vivek Singh Thakur, J (oral)

Petitioner has approached this Court, being aggrieved by his transfer, vide order dated 18th April, 2023 (Annexure P-1) from Government Senior Secondary School Shakoli, District Sirmour to Government Senior Secondary

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

School Bharoli, District Sirmour, Himachal Pradesh, on the ground that he has been serving in the hard area since 2002 and he has been transferred without giving him a chance to opt for stations of his choice in terms of the Transfer Policy of the State Government, whereas, he, after serving in the hard area, was entitled for posting at a place of his choice out of five stations.

2. Learned counsel for the petitioner submits that as petitioner is ready to file a representation in detail to respondent No.2-Director Higher Education, Himachal Pradesh, within four days, therefore, petitioner would be satisfied in case time bound direction is given to respondent No.2 to consider and decide the same and till then the impugned transfer order is stayed.

3. In view of the above, petitioner is permitted and directed to submit his fresh representation with five stations of his choice with respondent No.2-Director Higher Education, Himachal Pradesh, within four days from today. In case such representation is preferred by the petitioner, respondent No.2 is directed to consider and decide the same in accordance with law and the Transfer Policy of the State Government on or before 15th May, 2023 and to pass a speaking and reasoned order, after

providing an opportunity of personal hearing to the petitioner, if desired so.

4. Till the decision is taken in the representation of the petitioner by respondent No.2-Director Higher Education, Himachal Pradesh, the impugned transfer order dated 18th April, 2023 (Annexure P-1) shall remain stayed.

5. Petition stands disposed of alongwith all pending miscellaneous application(s), if any.

6. Petitioner may produce the downloaded copy of the order passed by the Court before the Authorities concerned, if required, and the concerned Authority shall not insist for the certified copy of order, rather passing of order can be verified from the web-page of this Court.

(Vivek Singh Thakur)
Judge

(Sushil Kukreja)
Judge

April 28, 2023
(Bhardwaj)