

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**C.W.P No. 1596/2010**

**Decided on 30.4.2010**

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**Roop Ram**

**....Petitioner**

**Versus**

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**State of H.P. and others**

**...Respondents**

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*Coram*

**The Hon'ble Mr.Justice Kurian Joseph, Chief Justice**

**The Hon'ble Mr. Justice R.B. Misra, Judge.**

For the Petitioner: Mr. Ajay Kumar Dhiman, Advocate

For Respondent: Mr. R.K. Sharma, Senior Additional Advocate General  
For the State

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**Justice Kurian Joseph, C.J. (Oral)**

Petitioner is aggrieved by Annexure P-1, order of transfer.

According to the petitioner, he is to retire by the end of January, 2011 and he has only less than one year to retire from service. It is also submitted that he has not completed permissible tenure upto five years. It is also submitted that a person, who is to retire in less than two years, is not normally transferred.

2. Another contention of the petitioner is that the private respondent, namely Shiv Chand, cannot, in any case, be accommodated at Kullu since he is native of Kullu, as per the guidelines.

3. All these aspects, the petitioner may point out before the first respondent. In the event of petitioner filing an appropriate representation before the first respondent, as above, the said respondent shall consider the matter, adverting to the submissions made in the representation and appropriate orders, in accordance with law, thereon

will be passed within two weeks. Till the orders are passed, as above,  
in case the petitioner has not already been relieved, further proceedings  
in that regard will be deferred.

Dasti copy.

**(Justice Kurian Joseph),  
Chief Justice**

**April 30, 2010(K/s)**

**( Justice R.B. Misra ),  
Judge**