IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

ON THE 31st DAY OF MARCH, 2022

BEFORE

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ,

CHIEF JUSTICE

&

HON'BLE MS. JUSTICE JYOTSNA REWAL DUA

CIVIL WRIT PETITION No.1581 of 2022

Between:-

JOGINDER PAL S/O SH SUKH RAM, VILLAGE AND P.O. JAHU TEHSIL BHORANJ DISTT HAMIRPUR H.P. PRESENTLY WORKING AS PRINCIPAL AT GSSS SHILLI JANJA (KULLU).

…..PETITIONER

(BY MR. GURMEET BHARDWAJ, ADVOCATE)

AND

1. THE STATE OF HIMACHAL PRADESH THROUGH THE PRINCIPAL SECRETARY (EDUCATION) TO THE GOVERNMENT OF HIMACHAL PRADESH, SHIMLA-2.
2. THE DIRECTOR OF HIGHER EDUCATION, HIMACHAL

PRADESH, SHIMLA-1.

…..RESPONDENTs

(BY MR. ASHOK SHARMA, ADVOCATE GENERAL WITH MR. VIKAS RATHORE, ADDITIONAL ADVOCATE GENERAL)

_____—

This petition coming on for orders this day, **Hon'ble Mr. Justice Mohammad Rafiq,** *passed the following:*

O R D E R

This writ petition has been filed by Joginder Pal, who is working as Principal at Government Senior Secondary School Shilli Janja, Kullu with a prayer that in view of the fact that he is due to retire on 30.11.2023, the respondents may be directed to consider his representation dated 06.02.2022 (Annexure P-3). It is submitted that as per Clause 21.9(viii) of Handbook of personal matter, the petitioner should be considered for being posted at a place of his choice.

2.	Learned Additional Advocate General submits that the petitioner has been posted recently on 02.09.2021 at present place of posting and has not completed his normal tenure. He further submits that Clause 21.9(viii) of Handbook of Personal matter is only applicable to Class-III and Class-IV employees.

3.   Be that at it may, we dispose of the present petition requiring respondent No.2-Director of Higher Education, Himachal Pradesh to consider and decide the representation dated 06.02.2022 (Annexure P-3) of the petitioner, in accordance with law, within a period of 15 days from the date of production of a copy of this order.

4.   Pending application(s), if any, also stand(s) disposed of.

(Mohammad Rafiq)
Chief Justice

(Jyotsna Rewal Dua)
March 31, 2022   **Judge**
        (vt)