

**IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

**ON THE 31<sup>st</sup> DAY OF MARCH, 2022**

**BEFORE**

**HON'BLE MS. JUSTICE SABINA**

**&**

**HON'BLE MR. JUSTICE SATYEN VAIDYA**

**CIVIL WRIT PETITION No.1865 of 2022**

**Between:-**

**VINOD KUMAR S/O SH. KISHORI  
LAL, VILLAGE KARDHAR, P.O.  
BARAGRAN, TEHSIL MULTHAN,  
DISTRICT KANGRA, H.P.  
PRESENTLY WORKING AS TGT  
(MEDICAL) AT GHS MATHIANA U/C  
GSSS THALTUKHOD, DISTRICT  
MANDI, H.P. AGED 37 YEARS.**

**....PETITIONER**

**(BY MR. VIKAS RAJPUT, ADVOCATE)  
AND**

- 1. STATE OF HIMACHAL PRADESH  
THROUGH SECRETARY  
EDUCATION TO THE  
GOVERNMENT OF HIMACHAL  
PRADESH, SHIMLA-171002.**
- 2. DIRECTOR OF ELEMENTARY  
EDUCATION, HIMACHAL  
PRADESH SHIMLA-171001.**

**....RESPONDENTS**

**(BY MR. ASHWANI SHARMA,  
ADDITIONAL ADVOCATE GENERAL)**

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*This petition coming on for admission this day, **Hon'ble Ms. Justice Sabina**, passed the following:*

**ORDER**

Petitioner has filed the petition under Article 226 of the Constitution of India, seeking following relief:-

*“a). That respondents may kindly be directed to transfer the petitioner from present place of posting to some place of choice mentioned in para 5 (supra) without any condition of substitute”*

2. Learned counsel for the petitioner has submitted that the petitioner has completed his normal tenure in the difficult sub-cadre area and is now entitled for his transfer to a soft area, in terms of the transfer policy dated 10<sup>th</sup> July, 2013. Representation dated 13<sup>th</sup> October, 2021 (Annexure P-4), moved by the petitioner in this regard to the respondents has not been decided so far.

3. Learned Additional Advocate General has submitted that the representation moved by the petitioner is not in terms of the transfer policy dated 10<sup>th</sup> July, 2013.

4. Accordingly, without adverting to the merits of the case, this writ petition is disposed of with a direction that in case the petitioner moves a fresh representation to the respondents, in terms of

the transfer policy, dated 10<sup>th</sup> July, 2013, within a week from today, then respondents shall dispose of the same within two weeks of the receipt of the representation, in accordance with law.

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

**(Sabina)**  
**Judge**

**(Satyen Vaidya)**  
**Judge**

**March 31, 2022(ps/vh)**