

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP No. 1401 of 2023

Decided on: 31st March, 2023

Panch Ram

.....Petitioner

Versus

State of H.P and others

...Respondents

Coram

The Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge.

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?¹

For the petitioner:

Mr. Daleep Chand, Advocate.

For the respondents:

Mr. Anup Rattan, A.G with Mr. Y.W. Chauhan, Sr. Addl. A.G. and Ms. Priyanka Chauhan, Dy. A.G.

Tarlok Singh Chauhan, Judge. (Oral)

Aggrieved by the order of transfer, the petitioner has filed the instant petition for the grant of following reliefs:-

- "i). That the impugned order of transfer dated 20.03.2023 (Annexure P-1) may kindly be quashed and set aside
- ii) That in the alternative respondents may kindly be directed to consider the transfer/adjustment of the petitioner at Govt. Sr. School Drabil or Govt. Sr. Sec. School Hallan where the post is lying vacant."

2. A perusal of the record that was produced by the respondents pursuant to the direction of this Court would go

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

to show that the process to effect transfer has been initiated on the basis of recommendations of the local MLA, who also happens to be a Cabinet Minister. Thereafter, the Administrative Department took into consideration the fact that the petitioner has completed his normal tenure of service as Lecturer (School New) (Economics) at GSSS, Nainidhar (Sirmour) and it is only thereafter that he has been ordered to be transferred and posted as Lecturer at GSSS Sanoli (Una), against a vacant post.

3. Obviously, in such circumstances, no exception can be taken to the order of transfer, as it has been passed in exigency of service and in public interest.

4. Consequently, we find no reason to interfere with the impugned transfer order and the petition is accordingly dismissed. Pending application(s), if any, also stands disposed of.

(Tarlok Singh Chauhan)
Judge

March 31, 2023
(naveen)

(Virender Singh)
Judge