

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.3414 of 2025

Date of decision: 28.03.2025

Nirmala Devi.

...Petitioner.

Versus

State of H.P. & Ors.

...Respondents.

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner : Mr. R.L. Chaudhary, Advocate.

For the respondents : Mr. Sikander Bhushan, Deputy
Advocate General.

Jyotsna Rewal Dua, Judge

Following order was passed on 12.03.2025 in this petition granting interim relief in favour of the petitioner against her transfer as Auxiliary Nurse Midwife from GAHC Hatli, District Kangra to RGGPGA College & Hospital Paprola, District Kangra:-

“Notice. Mr. L.N. Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.

2. Under impugned office order dated 07.03.2025 (Annexure P-1), petitioner, who is serving as Auxiliary Nurse Midwife at GAHC Hatli, District Kangra, has been transferred to RGGPGA College & Hospital Paprola. The case set up in the petition is that the petitioner is left with just two and a half months for her superannuation and further that she has been transferred to a place, which is about 100 kilometers from her native place.

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

Learned counsel for the petitioner submits that the petitioner has not been relieved from her present place of posting as on date.

3. *In view of above, the petitioner has made out a case for staying the impugned office order qua her transfer. Accordingly, the impugned office order dated 07.03.2025 (Annexure P-1) shall remain stayed qua the petitioner.*

Reply/instructions be filed/obtained by the next date of hearing. List on 27.03.2025."

2. On 27.03.2025, learned Deputy Advocate General placed on record instructions memo dated 27.03.2025 from the Additional Director, Ayush, Himachal Pradesh. As per the instructions memo, petitioner was transferred from GAHC Hatli, District Kangra to RGGPGAC, Paprola, District Kangra under rationalization of the post. However, considering the prayer of the petitioner for her continuation at GAHC Hatli, District Kangra, in view of her impending retirement in next two and half months, the respondents in the instructions memo stated that petitioner be directed to join at RGGPGAC, Paprola, District Kangra at first instance, whereafter she will be deputed back to GAHC Hatli, District Kangra, till her retirement on 31.05.2025.

3. Learned counsel for the petitioner submits that the aforesaid arrangement is acceptable to the petitioner. Learned Deputy Advocate General assures that within a

week from petitioner's joining at RGPGAC, Paprola, District Kangra, she would be deputed back to GAHC Hatli, District Kangra, till her retirement on 31.05.2025.

This writ petition stands disposed of in above terms, so also the pending miscellaneous application(s), if any.

28th March, 2025
(Pardeep)

Jyotsna Rewal Dua
Judge