
(2021) 01 SHI CK 0134
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 5796 Of 2020

Anil Kumar Rana	Vs	APPELLANT
State Of H.P & Others		RESPONDENT

Date of Decision : 08-01-2021

Acts Referred:

Citation : (2021) 01 SHI CK 0134

Hon'ble Judges : Sureshwar Thakur, J;Chander Bhusan Barowalia, J

Bench : Division Bench

Advocate : Anup Rattan, Ashwani Sharma, Arun Sehgal

Final Decision : Allowed

Judgement

Sureshwar Thakur, J

1. Both the writ petitioner, and, co-respondent No.4 belong to the State cadre, and, can be posted in any of the District(s), within the State of Himachal Pradesh.

2. Further more, both the writ petitioner, and, co-respondent No.4, after completing their respective normal tenure of three years, at the station(s) concerned, became transferred therefrom, hence through, the impugned Annexure borne in Annexure P-1.

3. The grievance of the writ petitioner, in his hence casting a challenge upon the impugned Annexure, becomes rested, upon the factum, that despite his earlier serving in a tribal area, in as much, as, Pangi, his yet, through the impugned order, becoming transferred, to a sub cadre area in as much, as, to GSSS Ail, District Chamba, factum whereof, is supported by Annexure P-5, Annexure whereof(s), becomes signed by the Director of Elementary Education, Himachal Pradesh, and, hence assumes veracity.

4. Be that as it may, even the learned counsel, for co-respondent No.4, submits that since he is faced with a severe diabetic and hypertension

condition, and, hence upon his transfer being made to a hard area concerned, thereupon his afore ailments shall become aggravated.

5. Consequently, the writ petition is allowed, and, the impugned transfer order is cancelled, in so far, it relates to the writ petitioner. However, the

transfer of co-respondent No.4 be sympathetically considered, and, his transfer be made to a soft station, within, the State of Himachal Pradesh,

especially, for, his ensuring qua his afore ailments becoming hence mitigated.

Pending applications stand disposed of accordingly.