
(2010) 03 SHI CK 0013
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 972 of 2010

Asha Sharma

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 30-03-2010

Acts Referred:

Citation : (2012) 2 ShimLC 829

Hon'ble Judges : Kurian Joseph, C.J;R.B. Misra, J

Bench : Division Bench

Advocate : Rakesh Chandel, for the Appellant; R.K. Sharma, Senior Additional Advocate General with Mr. J.K. Verma, D.A.G., for the Respondent

Judgement

Kurian Joseph, C.J.—Petitioner is aggrieved by her transfer. It is submitted that her husband is working in the forest department at Kufri and that the petitioner's father-in-law is a freedom fighter and is aged and sick. The impugned transfer is defended on the following reason:-

The petitioner was transferred from GPS Board Colony to GPS Kanlog and joined her duties in GPS, Kanlog on 19.2.2010. It is further submitted that one post of JBT in GPS, Kanlog was surplus as per the rationalization policy and Sh. Pawan Roach JBT who was senior most teacher in the school was shifted to GPS Himri on 4.2.2010 under rationalization scheme. Sh. Pawan Kumar Roach, JBT made a representation to the department that he is having 80% permanent disability, and is unable to join in GPS, Himri. Keeping in view this fact Sh. Pawan Roach was retained in GPS, Kanlog being handicapped and as per PTR/rationalization policy the next senior teacher working in GPS, Kanlog was transferred to GPS Himri in place of Sh. Pawan Roach as per rationalization scheme. Since next senior teacher in the school was the petitioner therefore, the petitioner has been transferred to GPS, Himri.

Petitioner submits that she may be adjusted near Shimla. Petitioner may point out any vacancy near Shimla where she can be accommodated, without

disturbing others, in which case the matter will be considered by first respondent and appropriate orders, in accordance with law, on the same will be passed within another one month.

2. Petition stands disposed of. Copy Dasti.