

(2011) 11 SHI CK 0321
In the High Court Of Himachal Pradesh
Case No : CWP No. 5881 (F) of 2011

Dagu Ram

APPELLANT

Vs

State of H.P. and others

RESPONDENT

Date of Decision : 30-11-2011

Acts Referred:

Citation : (2011) 11 SHI CK 0321

Hon'ble Judges : Surjit Singh, J

Bench : Single Bench

Judgement

Surjit Singh, Judge

1. Heard and gone through the record.

2. Petitioner has been working as JBT teacher in Govt. Primary School, Behli in Mandi District, since the year 2002. Initially, he worked as Vidya Upasak and from 2007 he has been working as JBT teacher in the same school, which is in hard area. On account of his having served in hard area for about 11 years, he was adjusted in Govt. Primary School, Mundru, by way of transfer, vide order Annexure P-2 of Deputy Director of Education, which is dated 13.5.2011. Respondent No. 4 Bhim Singh, who was working in Govt. Primary School, Mundru was shifted to Behli. He challenged the transfer order by filing a writ petition in this Court. During the pendency of that writ petition, transfer order Annexure P-2 was cancelled vide order Annexure A-5, with the result that the petitioner remained in the hard area. Petitioner has filed the present writ petition, seeking issuance of a direction to the respondents for implementation of order Annexure P-2.

3. Since the writ petition, which had been filed by respondent No. 4 Bhim Singh has been finally disposed of, on account of cancellation of order Annexure P-2 by the respondents, it would not be judicially proper to review the order of cancellation Annexure P-2, which has been challenged by means of present petition. However, keeping in view the fact that the petitioner has been serving in

hard area for the last about 11 years, writ petition is disposed of with a direction to respondent No. 2 to shift the petitioner from Govt. Primary School, Behli, which is located in hard area, to one of the five stations of his choice, particulars whereof, he would be intimating to respondent No. 2, within 15 days from today. This direction be complied by 28th February, 2012.