

(2020) 06 SHI CK 0061
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 1675 Of 2020

Dr. Amita

APPELLANT

Vs

State Of Himachal Pradesh And Another

RESPONDENT

Date of Decision : 11-06-2020

Acts Referred:

Citation : (2020) 06 SHI CK 0061

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : T.S. Chauhan, Ajay Vaidya, Diwan Singh Negi, D.S. Verma

Final Decision : Disposed Of

Judgement

Anoop Chitkara, J

1. The petitioner, who was appointed as a Medical Officer (Dental), vide notification dated 22.9.2017, initially at ESI Hospital Darlaghat Solan, later on, vide notification dated 6.10.2017 adjusted at Kanaid, Primary Health Centre (PHC), Mandi, the present place of posting, has come up before this Court, seeking quashing of impugned transfer order dated 4.6.2020, transferring her to Dehar, Civil Hospital (CHC), Mandi, which is allegedly at a distance of more than 30 Kilometers from the current place of posting, on the ground that it is in violation of Clause 7 of "Comprehensive Guiding Principles-2013" for regulating the transfer of State Government employees, which stipulates that the contractual employees shall be eligible to be transferred only after completion of three years of service.

2. Mr. Ajay Vaidya, learned Senior Additional Advocate General, does not dispute the fact of her not completing three years of service at the current place of posting, as a contractual employee. Even, learned counsel for private respondent No.2 does not dispute this fact.

3. Given above, we are disposing of this petition, by directing that the impugned

transfer order dated 4.6.2020 shall remain in abeyance till 6.10.2020, on which date, the petitioner completes three years of her tenure and on 7.10.2020, she shall automatically stand relieved from the current place of posting i.e. Kanaid, Primary Health Centre (PHC), Mandi. This order is being passed given the lockdown consequent to COVID-19 Pandemic and it shall not be cited as a precedent.

Pending application(s), if any, also stand disposed of.