

(2010) 12 SHI CK 0150
In the High Court Of Himachal Pradesh
Case No : CWP No. 6937 of 2010

Hari Karan Sharma

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 23-12-2010

Acts Referred:

Citation : (2010) 12 SHI CK 0150

Hon'ble Judges : Kurian Joseph, C.J;V.K. Sharma, J

Bench : Division Bench

Judgement

V.K. Sharma, J.—The petition has been filed on the following prayer:

That a writ of Mandamus may very kindly be issued to the Respondents thereby directing them to consider the case of the Petitioner for his transfer to parent district i.e Mandi at one of the choice of station i.e (i) Govt. Middle School Riyuer Sangam Under Control Government Senior Secondary School Dharmpur or (ii) Govt. High School Hukkal or (iii) Government High School Longani District Mandi H.P.

2. On 26.11.2010, the following order was passed:

Short reply within three weeks. In case the reply is not filed by that time, it will be taken that the Respondents have no objection in granting the relief to the Petitioner.

3. However, despite the above order dated 26.11.2010, the Respondents have not filed any reply.

4. In view of the above, the petition is taken up for final disposal.

5. The Petitioner, who is working as Shastri (OT) in Govt. High School, Dhadu, Tehsil Bhatiyat, Distt. Chamba, H.P., belongs to a district cadre. He is seeking transfer to his native district Mandi, H.P., in terms of policy Annexure P-1, framed by the State Government. According to him, two other teachers belonging to the

same district cadre, namely, Smt. Meera Devi, O.T and Shri Nika Ram, Shastri, who are junior to him have since been transferred to their native districts vide Annexures P-2 and P-3, respectively. However, no action has been taken by the Respondents on his latest representation dated 5.10.2010, Annexure P-4.

6. In view of the above, the petition is disposed of with a direction to Respondent No. 2/competent authority to consider the case of the Petitioner for transfer to his native district Mandi (H.P.) against the first available vacancy, in terms of policy Annexure P-1 and if possible, post him against one of the three stations of his choice viz. (i) Govt. Middle School Riyuer Sangam Under Control Government Senior Secondary School Dharmpur (ii) Govt. High School Hukkal and (iii) Government High School Longani District Mandi H.P., on production of copy of this judgment by the Petitioner .

7. The petition is disposed of in the above terms, so also pending CMP(s), if any.