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**(2021) 12 SHI CK 0045**  
**In the High Court Of Himachal Pradesh**  
**Case No : Civil Writ Petition No.7735 Of 2021**

Kiran Bala

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

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**Date of Decision :** 08-12-2021

**Acts Referred:**

Constitution Of India, 1950 — Article 226

**Citation :** (2021) 12 SHI CK 0045

**Hon'ble Judges :** Sabina, J;Jyotsna Rewal Dua, J

**Bench :** Division Bench

**Advocate :** Onkar Jairath, Seema Sharma

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## Judgement

Sabina, J

1. The petitioner has filed the present petition under Article 226 of the Constitution of India, seeking mainly the following relief:-

"A. That a writ in the nature of Mandamus or any other appropriate writ order or directions may kindly be issued directing the Respondents to transfer the Petitioner from Hard and Difficult Tribal Area of Tehsil Pangi, District Chamba, to any station of her choice as enumerated in para 6(E) of the petition, without waiting for any substitute."

2. Learned counsel for the petitioner has submitted that the petitioner was appointed as a Lecturer (Biology) school cadre in the year 2007. The services of the petitioner were regularized in the year 2020 and the petitioner is working in a tribal area from the date of her initial appointment. The petitioner had moved a representation (Annexure P-1) to respondent No.2, seeking her transfer to a soft area. However, no action has been taken on the said representation so far.

3. Ms. Seema Sharma, learned Deputy Advocate General, has submitted that the representation moved by the petitioner is not as per Clause 16.1 of the Comprehensive Guiding Principles dated 10.7.2013 for regulating the transfers of

the State Government employees.

4. Accordingly, without adverting to the merits of the case, we deem it appropriate to dispose of this writ petition by giving liberty to the petitioner to approach respondent No.2-Director of Higher Education, Himachal Pradesh, Shimla, within a week from today by moving a fresh representation and respondent No.2 is directed to dispose of the same within two weeks thereafter.

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

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