

(2021) 04 SHI CK 0050

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 2285 Of 2021

Safi Mohammad

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 08-04-2021

Acts Referred:

Citation : (2021) 04 SHI CK 0050

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

Bench : Division Bench

Advocate : Neeraj Kumar Shashwat, Ashok Sharma, Ritta Goswami, Adarsh K. Sharma, Yudhbir Singh Thakur

Final Decision : Disposed Of

Judgement

L. Narayana Swamy, CJ

1. The petitioner, who is working as a Veterinary Pharmacist at Veterinary Dispensary, Phindaru, Tehsil Pangi of Chamba District, H.P., has come up before this Court seeking his transfer from Hard/difficult area to one of the stations of his choice, as per clause 16.1 of the Comprehensive Guiding Principles-2013, issued by the State Government, which provides that the normal tenure of stay of posting in Most Difficult/Difficult/ Tribal/Hard areas shall be two winters and three summers. In this regard, the petitioner has already made representation dated 18.2.2021 (Annexure P-5), which is still pending before the concerned authority.

2. Notice. Mr. Adarsh K. Sharma, learned Additional Advocate General, appears and accepts service of notice on behalf of the respondents.

3. In view of the nature of the order, we propose to pass, no response is required from the respondents.

4. Consequently, this petition is disposed of directing the 1st respondent to decide the representation of the petitioner dated 18.2.2021 (Annexure P-5), in

the light of the transfer policy occupying the field, within a period of two weeks. It is clarified that while deciding the representation of the petitioner, the said respondent shall consider the stations of choice of the petitioner as mentioned in his aforesaid representation, subject to the condition that the incumbents posted there have completed their normal tenure of posting, in accordance with the transfer policy. In case none of them have completed the normal tenure then the office of the respondent/authorities shall get in touch with the petitioner apprising him of vacant stations where the incumbents have completed their normal tenure and the possible places where the petitioner can be posted.

Pending application(s), if any, are closed.

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