

(2019) 10 SHI CK 0004
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 2330 Of 2019

Suresh Kumar

APPELLANT

Vs

State Of Himachal Pradesh Through Its Secretary (IPH) &
Others

RESPONDENT

Date of Decision : 04-10-2019

Acts Referred:

Citation : (2019) 10 SHI CK 0004

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Jagan Nath, Dinesh Thakur, Seema Sharma, Amit Kumar Dhumal,
Divya Sood, Sunny Dhatwalia

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. By way of this Petition, the grievance raised by the petitioner is with regard to the non-implementation of his transfer order dated 05.07.2018 (Annexure P-1), vide which the petitioner Shri Suresh Kumar after completion of his normal tenure in tribal area was ordered to be transferred at IPH Circle, Sundernagar against vacancy.
2. Despite opportunity having been granted, reply to the petition has not been filed.
3. Learned counsel for the petitioner submits that the reason as to why the transfer order is not being implemented is that till date no incumbent has been posted by the respondent department in place of the petitioner as his reliever. He further submits that because of the acts or omission in commission of the respondent department, the petitioner is begin made to suffer.
4. In view of the issue involved in the present writ petition, the same is disposed of with the direction that the State shall provide reliever against the petitioner at

IPH Circle, Rekong Peo, on or before 31.10.2019 and in case the State fails to do so, then petitioner shall be at liberty to join IPH Circle, Sundernagar against the vacancy on 01.11.2019 without waiting for any reliever. Pending miscellaneous applications, if any, also stand disposed of.