
(2026) 03 SHI CK 0659
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 2074 Of 2026

Tilak Raj

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 06-03-2026

Acts Referred:

Citation : (2026) 03 SHI CK 0659

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Avinash Jaryal, Rajat Chauhan

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. By way of this writ petition, the petitioner has prayed for the following reliefs:-

a) "That respondent No.3 be directed to implement the transfer order dated 07.02.2026 qua the petitioner annexed herewith as Annexure P-1 in the interest of justice.

b) That respondent department be directed to allow the petitioner to join at transferred station i.e. Govt. Middle School Kilod, Tehsil Salooni, District Chamba."

2. The grievance of the petitioner is that despite the fact that the petitioner stands transferred in terms of Annexure P-1 from his present place of posting to GMS Kilod-I, District Chamba against vacancy in relaxation of ban on transfer order, he is not being relieved from his present place of posting to enable him to join the station to which he stands transferred.

3. On the last date of hearing, the State was called upon to have instructions. Today learned Assistant Advocate General has handed over instructions dated 05.03.2026, relevant portion thereof, reads as under:-

"It is submitted that the order/approval dated 07.02.2026 has been received

from the competent authority to transfer of Class-IV employee. The approval was sent to the office of Deputy Director of Higher Education, Chamba, but the Deputy Director Higher Education, Chamba back refer the order dated 07.02.2026 vide letter dated 23.02.2026 with the observation that the transfer orders cannot be implemented due to short stay, since, the petitioner was joined at present place of posting i.e. GHS Jammuhar, District Chamba on 30.09.2023. It is further submitted that in order/approval dated 07.02.2026 short stay has not been condoned."

4. Having perused the instructions, this Court is of the considered view that once the petitioner stands transferred by the Competent Authority and the transfer order is in vogue, the petitioner cannot be denied the right of joining at the transferred station, more so in the light of the fact that the petitioner is a Class-IV employee with 60% disability.

5. Therefore, in these peculiar circumstances, this petition is disposed of with the direction that the petitioner shall be deemed to have been relieved from his present place of posting on the strength of this order and he shall be at liberty to forthwith join at the station to which he stands transferred on the strength of this order.

5. Pending miscellaneous applications, if any, also stand disposed of.