

(2023) 05 SHI CK 0055

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No.2778 Of 2017

Yash Pal

APPELLANT

Vs

State Of Himachal Pradesh & Others

RESPONDENT

Date of Decision : 15-05-2023

Acts Referred:

Citation : (2023) 05 SHI CK 0055

Hon'ble Judges : Vivek Singh Thakur, J;Sushil Kukreja, J

Bench : Division Bench

Advocate : Daleep Chand, Anup Rattan, Manoj Chauhan

Final Decision : Disposed Of

Judgement

Vivek Singh Thakur, J

1. Petitioner has approached this Court being aggrieved by his transfer vide impugned order dated 09.05.2023 (Annexure P-3), whereby he has been transferred from GSSS Ronhat, District Sirmaur, H.P. to GSSS Gondpur Bulla, District Una, H.P., against vacancy.

2. Grievance of the petitioner is that his wife is also serving as Trained Graduate Teacher (TGT) in the Education Department and as a couple case, he deserves to be adjusted in nearby place, particularly against vacancy in Government High School Jasvi, under Complex Koti Bounch.

3. At this stage, learned counsel for the petitioner submits that petitioner shall be satisfied in case he is permitted to make representation for redressal of his grievances, stated in the petition, to the Director Elementary Education with further direction to decide the same in time bound manner.

4. Learned Additional Advocate General submits that in case any representation is preferred by the petitioner, same shall be decided, in accordance with law, in time bound manner as directed by this Court.

5. In view of above, petitioner is permitted to make representation to the competent authority alongwith supported documents within two days. In case such representation is preferred, same shall be decided by the competent authority on or before 29.05.2023, by passing speaking and reasoned order, after giving option of personal hearing to the petitioner, if desired so. Order shall be communicated to the petitioner immediately thereafter. Till the decision of representation, petitioner shall not be compelled to join next place of posting and he may avail leave of kind due, and post suggested by him, if not already filled, shall not be filled till decision of representation.

6. Petition is disposed of in aforesaid terms, so also pending application(s), if any.

7. Petitioner is permitted to produce a copy of this order, downloaded from the web-page of the High Court of Himachal Pradesh, before the authorities concerned, and the said authorities shall not insist for production of a certified copy but if required, may verify it from Website of the High Court.