

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.20807 of 2025

Date of Decision: 29.12.2025

Ram Kishore Petitioner

Versus

State of Himachal Pradesh & Anr. ... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Mr. Vinay Sharma, Advocate.

For the Respondents: Mr. Rajan Kahol, Additional Advocate General with Mr. Ravi Chauhan and Mr. Anish Banshtu, Deputy Advocate Generals.

Sandeep Sharma, Judge(oral):

Petitioner herein, who at present is working as TGT (Medical) at Government Senior Secondary School, Bikram-Ka-Bhag, District Sirmour, Himachal Pradesh, has approached this Court in the instant proceedings seeking therein direction to the respondents to consider and decide his pending representation dated 03.10.2025 (Annexure P-1), whereby he has prayed for his transfer from afore station to one of the stations of his choice, as detailed in the representation on the ground that he has worked for more than five years in hard/tribal area. It is averred in the petition that during his nine years service career, petitioner has served for five years in hard area and as such, ought to have been transferred to one of the stations of his choice, but yet petitioner was transferred from

¹ Whether the reporters of the local papers may be allowed to see the judgment?

Government High School, Nesang, Kinnaur to Government Senior Secondary School, Dhar, Shimla, Himachal Pradesh from where he has been again transferred to Government Senior Secondary School, Bikram-Ka-Bhag, District Sirmour, Himachal Pradesh, whereas he ought to have been transferred to one of the stations of his choice.

2. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf of the respondents, who are otherwise represented by Mr. Rajan Kahol, learned Additional Advocate General. Learned Additional Advocate General states that after his having served at Government High School, Nesang, Kinnaur, petitioner was posted in soft area i.e. Government Senior Secondary School, Dhar, Shimla and such transfer was accepted by him. He states that after having served Government Senior Secondary School, Dhar, Shimla for considerable time, petitioner cannot claim transfer to one of the stations of his choice on account of his having served in hard/ tribal area for more than five years.

3. Though, this Court finds that petitioner was transferred from Government High School, Nesang, Kinnaur to Government Senior Secondary School, Dhar, Shimla on account of his having served in hard/tribal area, but once transfer policy formulated by the Government of Himachal Pradesh enables an employee to seek

transfer from hard /tribal area to soft area after his having served in hard/tribal area, he shall be entitled to be transferred to one of the stations of his choice, coupled with the fact that there is nothing on record to suggests that petitioner was posted at Government Senior Secondary School, Dhar, Kinnaur as per his choice, this Court without going into the merits of the case deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the representation dated 03.10.2025 (Annexure P-1), of the petitioner expeditiously, preferably within a period of four weeks. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate order. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

December 29,2025
(shankar)