

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
CWP No.15376 of 2026
Decided on 29th September 2026

Dr. Anjali Sharma

...Petitioner

Vs.

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Hon'ble Mr. Justice Yogesh Jaswal, Judge

¹Whether approved for reporting?

For the petitioner : Mr. Sahil Thakur, Advocate.

For the respondents : Mr. Ramakant Sharma, Additional
Advocate General.

Ajay Mohan Goel, Judge (Oral)

By way of this writ petition, the petitioner has, *inter alia*,
prayed for the following reliefs:-

- i) *"Issue an appropriate writ in the nature of Certiorari, order or direction for quashing the Functional Equivalence Model notified by the respondents on 05.01.2026 (Annexure P-5) reason being it cannot be implemented or applied in a manner inconsistent with or contrary to the Comprehensive Guiding Principles, 2013 governing transfers and postings of State Government employees Hence, declaring it ultra vires to the settled transfer policy;*
- ii) *Issue a writ in the nature of Certiorari or any other appropriate writ, order or direction quashing and setting aside Order No. 683 dated 27.08.2026 (Annexure P-6), whereby the Petitioner has been deployed/deputed from Rajiv Gandhi Government Engineering College, Kangra at Nagrota Bagwan to Government Hydro Engineering College, Bandla for a period of one semester, being arbitrary, unreasonable and unsustainable in the facts and circumstances of the present case since in the impugned order Respondent*

department has not mentioned the administrative exigency;

- iii) *Issue an appropriate writ in the nature of mandamus, order or direction restraining the Respondents from repeatedly selecting and deploying the Petitioner to GHEC Bandla on a temporary/semester-wise basis without undertaking a comprehensive and objective exercise of faculty rationalization and without recording reasons as to why the requirement at GHEC Bandla cannot be met through an appropriate regular transfer/posting or rational adjustment of an eligible faculty member having longer stay at a station where there is surplus or comparatively adequate faculty strength."*

2. When this case was listed on 03.09.2026, the following order was passed:-

"Notice. Mr.Pushpinder Jaswal, learned Additional Advocate General, accepts notice on behalf of the respondents. Learned Additional Advocate General submits that against the impugned order, the petitioner has otherwise also filed a representation and some time be given to the Authority to take a call thereon.

List on 29.09.2026, as prayed for.

In the meanwhile, reply/instructions be also filed.

The Competent Authority shall be free to take a decision on the representation of the petitioner also. However, till further orders, operation of office order dated 27.08.2026 is hereby stayed.

Status quo ante as it existed before the passing of order dated 27.08.2026 shall be maintained. Meaning thereby, the petitioner shall be allowed to continue to serve at Nagrota Bagwan dehors whether she stands relieved or not."

3. Today, learned Additional Advocate General has handed over office order dated 23.09.2026, which reads as under:-

“In compliance with the Directorate, Technical Education Sundernagar HP letter no. STV(TE)HB(2)8/Requisition/GHEC/ Bandla/ E128218-1463387 dated: 23-09-2026, regarding Functional Equivalence Model (FEM) to optimally utilize the faculty in the discipline of Applied Science and Humanities vide Govt. Notification No. EDN(TE)A(1)-3/2025 dated 05/01/2026, the deployment order of Ms. Anjali Sharma, Assoc. Prof. English vide this office order no. 696 dated: 02-09-2026 is hereby cancelled.”

4. In light of this development, these proceedings are closed with the observation that the petitioner shall be allowed to continue to serve at her present place of posting i.e., Nagrota Bagwan for a normal tenure.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

September 29, 2026
(Vinod)