

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17818 of 2026

Decided on: 7th October, 2026

Chain Lal

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Ms. Archana Dutt, Advocate.

For the Respondents: Ms. Menka Raj Chauhan, Deputy
Advocate General, for respondents No.1
to 4.

Jyotsna Rewal Dua, Judge

Notice confined to respondents No.1 to 4, which
is waived by Ms. Menka Raj Chauhan, learned Deputy
Advocate General.

Considering the grievance of the petitioner, the
documents on record and the order being passed
hereinafter, notice of this writ petition is not required to be
issued to respondent No.5. Reply is also not required to be
called for from the appearing respondents. Matter has
accordingly been heard at this stage.

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

2. Petitioner and respondent No.5 are both serving as Oriental Teachers (Shastri) in the respondent-Education Department. Vide office order dated 28.09.2026 (impugned herein), petitioner was transferred from GSSS Thanei, District Chamba to GMS Khangu-I, under complex GSSS Himgiri, District Chamba vice respondent No.5. Impugned office order transfers respondent No.5 to the place of the petitioner without giving him transfer travelling allowance/ joining time, though the same is granted to the petitioner. It appears that transfer of respondent No.5 has been ordered vice petitioner on the assumption as if the order is made at the request of respondent No.5. Petitioner has placed on record a representation of respondent No.5 dated 28.09.2026 (Annexure P-2), conveying that he (respondent No.5) had never requested for his transfer at the place of the petitioner.

Petitioner has also pleaded that he has already completed requisite tenure of service in hard area, whereas under the impugned office order, he has been again sent to a hard area. In similar manner, respondent No. 5 has also been transferred from hard area to another hard area.

3. In view of the submissions made for the petitioner and the documents placed on record, the writ petition is disposed of with direction to respondent No.2/

competent authority to consider and decide the issue of *vice-versa* transfer of petitioner and respondent No.5 afresh, by giving opportunity of hearing to both of them and appropriate order in this regard be passed within two weeks from today. The decision so arrived at shall also be communicated to the petitioner and respondent No.5.

4. Learned counsel for the petitioner submits that though respondent No.5 has joined at the place of the petitioner, but the petitioner has not as yet joined at the transferred station. In view of this submission, till the decision is taken afresh by respondent No.2, the petitioner shall not be compelled to join at the transferred station and he shall be at liberty to avail leave of the kind due.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

October 07, 2026
Mukesh

Jyotsna Rewal Dua
Judge