IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 2321 of 2020.
Date of Decision : July 13, 2020.

Chander Mohan Negi ...Petitioner.

Versus

State of H.P. & Others ...Respondents.

Coram:
The Hon'ble Mr. Justice L. Narayana Swamy, Chief Justice
The Hon'ble Mr. Justice Anoop Chitkara, Judge.

Whether approved for reporting?[1] *No.*

For the petitioner : Mr. K.B. Khajuria, Advocate.

For the respondents : Mr. Ashok Sharma, A.G. with Mr. Adarsh Sharma, & Ms. Rita Goswami, Addl. A.Gs. for respondents No.1 to 3.

Anoop Chitkara, Judge (oral).

The petitioner, who is working as a JBT in Government Primary School, Thapasaring Block Kalpa, District Kinnaur, H.P., and is under transfer to Government Centre Primary School, Liyo, has come up before this Court seeking cancellation of the impugned order of transfer Annexure P-1.

2. Notice. Mr. Adarsh Sharma and Ms. Rita Goswami, learned Additional Advocates General appear and waive service of notice on behalf of respondents No.1 to 3.

3. We have heard learned counsel for the petitioner and Mr. Adarsh Sharma & Ms. Rita Goswami, learned Additional Advocates General for the respondent-State.

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[1] **Whether reporters of Local Papers may be allowed to see the judgment?**

4. The only ground, which we considering to dispose of this writ petition, is that in para 3(G) of the writ petition, the petitioner specifically mentioned that the transfer has been made on his request, whereas he has never made any such request. Learned counsel for the petitioner further submits that these allegations is corroborated from the remarks column of the impugned order Annexure P-1, wherein it is specifically mentioned that the transfer order would be without TTA/Joining Time.

5. In view of the nature of the order, we propose to pass, no response is required from the respondents.

6. Keeping in view the specific allegations mentioned in para 3(G) of the writ petition, which is corroborated in the remarks column of impugned order Annexure P-1, as mentioned above, the writ petition is disposed of and the impugned order, qua the petitioner, is quashed and set aside. It shall be open for the respondent-State to pass fresh transfer order, in accordance with the transfer policy. The petitioner is also at liberty to make representation, mentioning therein the stations of his choice, if applicable within a week from today. Fresh transfer order be issued only after the expiry of one week. Pending application(s), if any, are closed.

(L. Narayana Swamy)
Chief Justice.

(Anoop Chitkara),
Judge

July 13, 2020 (ps)