IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 3944 of 2020
Date of Decision: September 24, 2020

Karam Chand ...Petitioner

Versus

State of Himachal Pradesh & Another ...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. Onkar Jairath, Advocate.

For the respondent : Mr. Ashok Sharma, A.G. with Ms. Ritta Goswami & Mr. Adarsh Sharma, Addl.AGs.

COURT PROCEEDINGS CONVENED THROUGH VIDEO CONFERENCE

Anoop Chitkara, Judge(oral)

The petitioner, who is working as Agriculture Extension Officer Shansha, in District Agriculture Officer Keylong, District Lahaul & Spiti, H.P., w.e.f. 05.06.2017, has come up before this Court seeking his transfer from a tribal area to one of the stations of his choice, as per clause 16.1 of the Comprehensive Guiding Principles-2013, of the transfer policy applicable in the State of Himachal Pradesh, which provides that the normal tenure of stay of posting in Most Difficult/Difficult/Tribal/Hard areas shall be two winters and three summers. In this regard the

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

petitioner has filed representation, which is still pending before the authorities concerned.

2. Notice. Mr. Adarsh Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

4. Consequently, this petition is disposed of with liberty to the petitioner to make a fresh representation to the respondent/ authorities concerned giving five stations of his choice, within one week from today, in accordance with the transfer policy. On receipt of such representation, the respondent/authorities shall consider the representation of the petitioner, in the light of the transfer policy occupying the field, and pass appropriate orders, within two weeks. It is clarified that while deciding the representation of the petitioner the respondents shall consider the stations of choice of the petitioner as mentioned in his representation, subject to the condition that the incumbents posted there have completed their normal tenure of posting, in accordance with the transfer policy. In case none of them have completed the normal tenure then the office of the respondent/ authorities shall get in touch with the petitioner apprising him of vacant stations where the incumbents have completed their

normal tenure and the possible places where the petitioner can be posted. Pending application(s), if any, are closed.

(L. Narayana Swamy),
Chief Justice.

(Anoop Chitkara),
Judge.

September 24, 2020(ps)