IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16333 of 2025

Date of Decision: 16.10.2025

Jatinder .....Petitioner

Versus

State of Himachal Pradesh and another ... Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioner: Mr. Sohail Khan, proxy counsel vice Mr. Vikas Rajput, Advocate.

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

Sandeep Sharma, Judge(oral):

Petitioner herein, who at present is working as TGT(Non-Medical) in Government Middle School, Rulang u/c Government Senior Secondary School Barot, District Mandi, Himachal Pradesh, which is a hard area, has approached this Court in the instant proceedings, seeking direction to the respondents to consider and decide his pending representation dated (Annexure P-5), whereby he has prayed for his transfer from afore station to soft area or one of the stations of his choice, as detailed in the representation, on ground of the fact that petitioner has already completed normal tenure of posting in hard area.

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

2. It is averred in the petition that that prior to posting of the petitioner at present place of posting, he was working in hard area and as such, he approached this Court by way of CWP No.9067 of 2025, which was disposed of with a direction to the respondents to transfer the petitioner to one of the stations as mentioned in the representation. On compliance of aforesaid judgment, petitioner has been sent to soft area, but now on account of merger of Government Middle School, Bohal u/c Government Senior Secondary School Bandla, District Kangra, petitioner again stands transferred to hard area.

3. Precisely, the grouse of the petitioner is that since he has already completed normal tenure of posting in previous school, which is hard area, he cannot be again transferred to hard area.

4. 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 fairly states that representation, if not already decided, shall be decided expeditiously.

5. True it is that prior to posting of the petitioner at Government Middle School, Rulang u/c Government Senior Secondary School Barot, District Mandi, Himachal Pradesh, petitioner

was working at Government Middle School, Bohal u/c Government Senior Secondary School Bandla, District Kangra, Himachal Pradesh, but now since aforesaid school has been merged and as such, petitioner has been transferred to Government Middle School, Rulang u/c Government Senior Secondary School, Barot, District Mandi, Himachal Pradesh, there appears to be merit in the contention of the petitioner that he cannot be again transferred to hard area.

6. Consequently, in view of the above, the present petition is disposed of with a direction to the respondents to consider and decide the representation (Annexure P-5), of the petitioner expeditiously, preferably within a period of four weeks, taking note of transfer policy formulated by the Government of Himachal Pradesh, which enables an employee to seek transfer from hard area to soft area after his/her having completed normal tenure of posting. Pending applications, if any, also stand disposed of.

(Sandeep Sharma),
Judge

October 16, 2025
(shankar)