IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16489 of 2025
Date of Decision: 17.10.2025

Savita

.....Petitioner

Versus

State of Himachal Pradesh and Ors.

.....Respondents

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?
For the Petitioner: Mr. Arun Kaushal, Advocate.

For the respondents: Mr. Rajan Kahol, Additional Advocate General with Mr. Anish Banshtu, Deputy Advocate General.

Sandeep Sharma, J. *(Oral)*

Petitioner herein, who at present is working as TGT (Non-Medical) at GHS Talla, u/c GSSS Tundi, District Chamba, Himachal Pradesh, has approached this Court in the instant proceedings, seeking therein direction to the respondents to consider and decide her pending representation (Annexure P-1) in a time bound manner, whereby she has prayed for her transfer from afore station to one of the stations of choice as detailed in the representation on the ground that she has already completed normal tenure at present place of posting as well as adverse family circumstances.

2. Having regard to the nature of order proposed to be passed in the instant proceedings, this Court sees no necessity to call for reply from the respondents, who are otherwise represented by Mr. Rajan Kahol, learned Additional Advocate General. Mr. Kahol, states

that mere completion of tenure at one station cannot be a ground to seek transfer, rather sole prerogative in that regard is of the employer.

3. True, it is that it is sole prerogative of the employer to post an employee anywhere in the State, but once transfer policy formulated by State of Himachal Pradesh, itself prescribes for completion of minimum tenure of three years at one place and besides this, employee can also seek transfer on the ground of adverse family circumstances, this Court sees no impediment in as much as issuing direction to the respondents to consider and decide representation of the petitioner, expeditiously, preferably, within four weeks. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioner and pass a speaking order taking note of transfer policy as well as observation made herein above. Pending applications, if any, also stand disposed of.

October 17, 2025 **(Sandeep Sharma),**
(manjit) **Judge**