IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 16851 of 2025

Decided on: October 30, 2025

Seema Devi ...Petitioner

Versus

State of Himachal Pradesh & Ors. ...Respondents

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge

[1]*Whether approved for reporting?*

For the petitioner : Mr. Javed Khan, Advocate.

For the respondents : Mr. Vishal Panwar & Mr. Rajan Kahol, Additional Advocates General & Mr. Ravi Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Petitioner seeks a direction to the respondents to transfer her from GSSS Khuhan, Tehsil Bali Chowki, District Mandi to a place of her preference i.e. either at BEEO Office Dharampur, District Mandi or GSSS Tanehar, Tehsil & District Mandi or at GSSS Marhi, Tehsil Dharampur, District Mandi.

2. Heard.

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

3. The case set up by the petitioner is that she joined services of respondents/Education Department as a Clerk in the year 2012. She was promoted to the post of Senior Assistant in 2024 and posted as such at GSSS Khuhan, Tehsil Bali Chowki, District Mandi where she joined on 04.10.2024. It has been asserted for the petitioner that she underwent Endoscopy on 21.09.2024 and as a result thereof has been medically advised to avoid long distance travel and prolonged commuting. On the basis of pleadings, learned counsel for the petitioner submits that petitioner is presently posted at Khuhan which is situated approximately 150 km away from her native place and the hospital where she is undergoing treatment, therefore, petitioner be transferred either to to BEO Office Dharampur, District Mandi; GSSS Tanehar, District Mandi; or GSSS Marhi, Tehsil Dharampur, District Mandi which are at a distance of about 5 km, 10 km & 15 km respectively from her residence located in Tehsil Dharampur, District Mandi.

4. I do not find any justification in the prayer of the petitioner. The case file shows that petitioner had undergone Endoscopy on 21.09.2024 (page 18 of the paper-book) at Sri Harihar Hospital, Gutkar, Mandi. Learned counsel for the petitioner could not point out abnormality in the diagnosis. Be that as it may. It is an admitted position that petitioner was promoted as Senior

Assistant thereafter. She accepted her such promotion and joined as such on promotion at GSSS Khuhan on 04.10.2024.

Reliance placed upon Outdoor Patient Record dated 25.08.2025 from Dr. B.R. Ambedkar State Institute of Medical Sciences, Sector-56, Ajit Singh Nagar (Mohali) Punjab (page 12 of the paper-book) goes on to show that petitioner had complained of pain in neck and lower back. For that reason, she was advised rest and to avoid travelling long distances and also to undergo physiotherapy. There is no medical record available in the case file subsequent to petitioner's joining the transferred station that shows her suffering from any serious ailment requiring her posting within 5 – 15 km from her home town/hospital.

Further it will not be out of place to mention here that the petitioner, as has been pointed out by the learned Additional Advocate General, has remained posted at GHS Bahari, District Mandi, H.P. ever since her initial appointment in September, 2012 up to 03.10.2024. Petitioner continued to serve at one station for 12 years. It was only on 04.10.2024 that she was transferred for the first time to GSSS Khuhan, District Mandi and that too upon promotion. Petitioner accepted her promotion and joined as such at GSSS Khuhan, District Mandi. There is no medical record on file requiring her posting within 5 -15 km from her native place or the hospital.

Petitioner has not been able to make out a case for transfer from her present place of posting to a station of her choice.

5. For the foregoing reasons, the writ petition fails and is dismissed. Pending miscellaneous application(s), if any, to also stand disposed of.

Jyotsna Rewal Dua,
Judge

October 30, 2025 **(PK)**