IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.20507 of 2025

Date of Decision: 24.12.2025

Suresh Kumar .....Petitioner

Versus

State of Himachal Pradesh & another ... Respondents

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

For the Petitioner: Mr. Subhash Mohan Snehi and Ms. Bhavinta Kumari, Advocates.

For the Respondent: Mr. Anup Rattan, Advocate General with Mr. Rajan Kahol and Mr. Vishal Panwar, Additional Advocate Generals and Mr. Ravi Chauhan, Deputy Advocate General.

Sandeep Sharma, Judge(oral):

Petitioner herein, who at present is working as Lecturer in Chemistry at Government Senior Secondary School, Killing, District Mandi, Himachal Pradesh, has approached this Court in the instant proceedings seeking therein direction to the respondents to consider and decide his pending representation dated 22.11.2025 (Annexure P-2), whereby he has prayed for his transfer from afore station to one of the stations as detailed in the representation on medical grounds. It is averred in the petition that petitioner is suffering from heart ailment and at present is under treatment from PGI, Chandigarh and as such, requires to be posted at a station near to PGI, Chandigarh.

2. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf

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

of the respondents, who are otherwise represented by Mr. Rajan Kahol, learned Additional Advocate General. Learned Additional Advocate General states that since petitioner has not completed normal tenure of posting at present place of posting, coupled with the fact that it is the sole prerogative of the employer to post an employee at particular station as per requirement, prayer made on behalf of the petitioner cannot be accepted.

3. True it is that it is the sole prerogative of the employer to post an employee at a particular station, but once transfer policy formulated by the Government of Himachal Pradesh enables an employee to seek transfer from one station to other on medical grounds, coupled with the fact that perusal of the documents annexed with the petition, reveals that petitioner is suffering from heart ailment, this Court sees no impediment in issuing direction to the respondent to consider and decide the representation dated 22.11.2025 (Annexure P-2), of the petitioner expeditiously, preferably within a period of four weeks. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate order. Pending applications, if any, also stand disposed of.

(Sandeep Sharma),
Judge

December 24, 2025
(shankar)