IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19707 of 2026

Decided on: 02.11.2026

Sanjay Kumar **.....Petitioner**

Versus

State of H.P. and Ors **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Amit K Dhumal, Advocate.

For the Respondents: Ms. Menka Raj Chauhan, Deputy Advocate General for respondent No.1 and 3.

Mr. Ashwani K Sharma, Advocate, for respondent No.3./caveator

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Jyotsna Rewal Dua, Judge

Caveat Petition No. 503 of 2026

Discharged. Caveat petition to stand disposed of.

CWP No. 19707 of 2026

2. Notice. Ms. Menka Raj Chauhan, learned Deputy Advocate General and Mr. Ashwani K Sharma, learned counsel, appear and waive service of notice on

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[1]**Whether reporters of print and electronic media may be allowed to see the order? Yes.**

behalf of respondents No.1 & 2 and respondent No.3, respectively.

3. Petitioner is serving as Principal, (School Cadre) at GSSS Tippar, District Hamirpur. His grievance is to the notification dated 30.10.2026, to the extent that transfers him to GSSS Tippar to GSSS Kungrat, District Una, against vacancy. In place of petitioner, respondent No.3 has been ordered to be posed under the impugned order.

4. Learned counsel for the petitioner submits that stay of the petitioner at the current place is though complete, as petitioner had joined at GSSS Tippra, District Hamirpur, on 06.08.2022, however, petitioner is due for retirement on 30.09.2027. At the fag end of his service career, petitioner has been transferred away to a place at a distance of 25 km from his current place of posting. It has further been submitted that petitioner is facing adverse family circumstances requiring his presence nearer to his native place. It has also been argued that petitioner's wife, Smt. Sapna, is also serving as Lecturer in English in the respondent-Education Department and is currently posted at GSSS Tippar, District Hamirpur. Thus, the petitioner is also entitled to the benefit of concessions given to couples in State Government employment as per applicable policy

case as per policy of the State Government.

5. Keeping in view the above factors as also the fact that petitioner has completed his normal tenure at the present place of posting, without interfering with transfer of respondent No. 3 under the notification dated 30.10.2026, this writ petition is disposed of with liberty reserved to the petitioner to represent to respondent No. 1 / competent authority for his suitable adjustment / accommodation / transfer to any other appropriate place in accordance with law and applicable policy. In case such a representation is made within a period of one week, the same be considered and decided within a further period of two weeks thereafter. Till such time, petitioner shall not be compelled to join at the transferred station and shall be at liberty to avail leave of the kind due. It is made clear that in case petitioner does not represent within the aforesaid period, the interim protection granted to him under this order shall automatically stand vacated.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

November 2, 2026
R.Atal