IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWP No.19976 of 2026 .
Decided on : 4th November, 2026

Raj Rani **...Petitioner.**

Versus

State of H.P. & Anr. ....**Respondents.**

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the Petitioner: Mr. Sanjeev Bhushan, Senior Advocate with Mr. Rakesh Chauhan, Advocate.

For the respondents: Mr. Sikander Bhushan, Deputy Advocate General for respondent No.1.
Mr. Ashwani K. Sharma and Shivani, Advocates, for respondent No.2.

Jyotsna Rewal Dua, Judge.

Notice. Mr. Sikander Bhushan, learned Deputy Advocate General and Mr. Ashwani K. Sharma, learned counsel appear and waive service of notice on behalf of respondents No.1 and 2, respectively.

2. Petitioner is serving as Principal in respondent-Education Department. Her grievance is to the notification dated 30.10.2026 (Annexure P-3), whereunder she has been transferred from YMGSSS Bhumpal, District Hamirpur to GSSS Chhatrari, District Chamba, against vacancy. Respondent No. 2, under order of posting at the office of Deputy Director, Secondary Education, Hamirpur, has been adjusted at the place of petitioner's posting, that is YM GSSS Bhumpal, District Hamirpur.

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

3. Learned Senior Counsel for the petitioner submits that petitioner has, though, remained posted at the current place with effect from the year 2021 and in this manner has completed more than five years of service and therefore liable to be transferred, but she is entitled to concessions available to her in view of Clause 5.2 of the Comprehensive Guiding Principles regulating transfers of State Government employees admissible to the wives of soldiers, as petitioner's husband is serving in Central Paramilitary Forces and presently deployed at Adampur Airbase. Clause 5.2 of the transfer policy reads as under:

> *"5.2. Concessions to the wives of soldiers: The wives of Officers/Officials of Military/Central Para-Military Forces will, as far as possible, be posted/appointed at convenient places subject to availability of vacancy."*

It was also submitted that petitioner is on verge of retirement; she will superannuate on 31.10.2027 and less than a year remains in her retirement, therefore, also she is entitled to a place of posting of her preference in terms of Clause 5.5 of the aforesaid transfer policy.

4. Keeping in view Clauses 5.2 and 5.5 of the applicable transfer policy which admittedly get attracted to the case of the petitioner, keeping in view her husband being employed in Central Paramilitary Forces and petitioner's impending retirement on 31.10.2027, this writ

petition is disposed of with liberty to the petitioner to prefer a representation to respondent No. 1 for her suitable adjustment. In case such a representation is made within two days, the same shall be considered and decided in accordance with law as per applicable policy, keeping in view the factual position of the case, within a week thereafter. Till such time, the petitioner shall not be compelled to join at the transferred station and shall be permitted to avail leave of the kind due. However, in case the petitioner does not prefer the representation within the aforesaid period, the limited protection granted under this order shall cease to have effect.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

4th November, 2026.
(jai)