IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19982 of 2026

Decided on: 4th November, 2026

Bhupender Kumar **.....Petitioner**

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Yogesh Kumar Chandel, Advocate.

For the Respondents: Ms. Menka Raj Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Ms. Menka Raj Chauhan, learned Deputy Advocate General, appears and waives service of notice on behalf of the respondents.

2. Petitioner is serving as Lecturer (SN) Computer Science at GSSS Tissa, District Chamba. His grievance is to the office order dated 28.10.2026 (Annexure P-2) that transfers him to GSSS Chuhan, District Chamba against vacancy. Transfer has been assailed on the ground that though the petitioner has completed almost 09 years of stay

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

at GSSS Tissa, District Chamba, but the said station falling under hard/tribal area in terms of the applicable transfer policy, entitles the petitioner to be transferred, as far as possible, to a station of his preference. Learned counsel for the petitioner submits that without taking any option from the petitioner, the respondents have effected petitioner's transfer under impugned office order dated 28.10.2026. That the petitioner has preferred a representation on 02.11.2026 (Annexure P-5) to respondent No.2, wherein he has also indicated five stations of his choice. It is, however, seen from the said document that all the five stations opted for by the petitioner are located in District Chamba.

3. Learned counsel for the petitioner submitted that the petitioner be reserved liberty to opt for the stations of his choice in accordance with law and as per the applicable transfer policy by furnishing a fresh representation to respondent No.2/competent authority within a time-bound schedule, with direction to the competent authority to decide petitioner's representation for his transfer to any of the stations to be opted for by him within a time bound schedule.

4. In view of the above, taking note of petitioner's long tenure at the current place of posting, i.e. GSSS Tissa,

District Chamba, but keeping in view that the said station falls under the hard/tribal area, this writ petition is disposed of reserving liberty to the petitioner to prefer a fresh representation to respondent No.2/competent authority for his transfer to any of his preferred stations, as far as feasible, within three days from today, with directions to respondent No.2/competent authority to consider and decide the same in accordance with law and keeping in view the facts of his case as also the applicable transfer policy, within a week thereafter.

5. Till such time, the petitioner shall not be compelled to join at the transferred station. He shall be at liberty to avail leave of the kind due. It is, however, clarified that in case the petitioner does not represent to the competent authority within the stipulated period, the limited protection made available under this order shall stand automatically vacated.

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

Jyotsna Rewal Dua
Judge

November 04, 2026
Mukesh