



2025:HHC:21976

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.10968 of 2025

Decided on: 9th July, 2025

Sarika Kumari

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Kul Bhushan Khajuria, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General
with Mr. Rajat Choudhry, Assistant
Advocate General, for respondents No.1
and 2.

Jyotsna Rewal Dua, Judge

Notice confined to respondents No.1 and 2,
which is waived by Mr. Rajat Choudhry, learned Assistant
Advocate General.

Considering the order being passed hereinafter,
neither reply of the petition is required to be called for from
the appearing respondents nor notice is required to be
issued to respondent No.3.

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



2. With the consent of learned counsel for the appearing parties, the matter is heard at this stage.

3. Petitioner is serving as Trained Graduate Teacher (Arts) at GMS Gujrehra, under complex GSSS Gandhir, District Bilaspur. Her grievance is to the office order dated 30.06.2025 (Annexure P-1), whereunder, she has been transferred to GSSS Ramnagar Kotkhai, District Shimla vice respondent No.3.

4. Learned counsel for the petitioner fairly submitted that the petitioner was posted at GMS Gujrehra on 04.01.2022 and as such has completed her normal tenure at the present place of posting. She is, therefore, liable to be transferred. Learned counsel, however, submits that petitioner's husband-Sh. Ravi Jamwal is presently serving as Clerk in the office of Block Primary Education Officer, Ghumarwin, District Bilaspur. That the petitioner is entitled to the benefit in terms of Clause 5.4 of the applicable transfer policy, which provides concession to couples serving in the State of Himachal Pradesh. Learned counsel further submits that the petitioner would be satisfied in case she is permitted to make a representation to respondent No.2/competent authority for her suitable adjustment, whereafter, the said authority be directed to



consider and decide the same within a time bound schedule. Learned Assistant Advocate General is not averse to this prayer.

5. In view of above submissions and without interfering with the transfer of respondent No.3 to GMS Gujrehra, under complex GSSS Gandhir, District Bilaspur under impugned office order dated 30.06.2025 (Annexure P-1), this writ petition is disposed of by permitting the petitioner to file a representation to respondent No.2/competent authority for her suitable adjustment within two days from today, whereafter, the same shall be considered and decided by the said authority in accordance with law and applicable transfer policy within a period of one week thereafter, i.e. by 30.07.2025. The decision so arrived at shall also be communicated to the petitioner.

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

July 09, 2025
Mukesh

Jyotsna Rewal Dua
Judge