

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 15556 of 2025
Decided on: 10.11.2025.

Chander Shekhar

...Petitioner

Versus

State of H.P and others

....Respondents.

.....
Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioner: Ms. Shivani Priya, Proxy Counsel.

For the respondents: Mr. L.N. Sharma, Additional Advocate General and Ms. Monika Raj Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, J.

With consent of learned counsel for the parties, matter has been heard at this stage.

2. Petitioner instituted ***Chander Shekhar versus State of H.P and others²***, seeking Inter District Transfer under 5% Inter District Transfer Policy. The writ petition was disposed of on 23.05.2025 with direction to competent authority to consider and decide petitioner's representation pending in that regard, in accordance with law and in terms of applicable notification dated 20.11.2021 (providing 5% Inter District Transfer).

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

² CWP No. 8588 of 2025, decided on 23.05.2025.

Pursuant to the above directions, respondent No.2 considered the petitioner's case and vide order dated 18.08.2025 rejected the same.

3. Petitioner feels aggrieved against the aforesaid order and thus has instituted this writ petition.

4. Heard. Admittedly, petitioner is serving as Junior Basic Trained Teacher (JBT) in Government Primary School, Nikkuwal, Education Block Baddi, District Solan, H.P. The petitioner belongs to District Cadre of District Solan. He has no vested right to claim transfer to another district. His claim for Inter District Transfer from Solan to Kinnaur can be considered by the respondent under 5% Inter District Transfer Policy notified on 20.11.2021. The respondent No.2/Competent Authority considered the petitioner's request for Inter District Transfer from Solan to Kinnaur and declined it under impugned order dated 18.08.2025 on the ground that approximately 363 posts of JBT/Head Teacher (HT) were lying vacant in District Solan. It is genuine & bonafide ground for rejecting petitioner's request for transfer from Solan District to District Kinnaur. The Competent Authority has reasonably exercised the discretion vested in him in not allowing petitioner's request under 5% Inter District Transfer policy. When there are 363 vacancies in the cadre of JBT/HT lying vacant at Solan, the Competent Authority was justified in refusing to entertain the petitioner's request for transfer from Solan to Kinnaur. It is for the respondents to run the department and also to

protect the interests of students in District Solan. In view of administrative requirement & exigency of service, impugned order cannot be said to be unjustified. The petitioner has not raised plea of discrimination or malafide on part of the respondents in rejecting his case for Inter District Transfer. The petition, therefore, fails and is dismissed. Pending miscellaneous application(s), if any, also stand disposed of.

Jyotsna Rewal Dua
Judge

November 10, 2025 (yogesh)