

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16063 of 2025

Date of Decision: 13.10.2025

Reena Devi		Petitioner
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Versus

State of Himachal Pradesh and others		... Respondents
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Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner:	Mr. Umesh Kanwar, Advocate.
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For the Respondents:	Mr. Anup Rattan, Advocate General with Mr. Rajan Kahol and Mr. Vishal Panwar, Additional Advocate Generals, with Mr. Ravi Chauhan and Mr. Anish Banshtu, Deputy Advocate Generals.
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Sandeep Sharma, Judge(oral):

Petitioner herein, who at present is working as TGT(Arts) in Government Middle School, Dhar, u/c Government Senior Secondary School, Deothi, District Solan, Himachal Pradesh, has approached this Court in the instant proceedings, seeking direction to the respondents to consider and decide her pending representation dated 25.08.2025 (Annexure P-2), praying therein for her transfer from afore school to Government Middle School, Basal u/c Government Senior Secondary School Guggaghat, District Solan, Himachal Pradesh, on the ground that school where she is presently

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

working is likely to be closed soon on account of decrease in strength of the students.

2. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf of the respondents, who are otherwise represented by Mr. Rajan Kahol, learned Additional Advocate General. Learned Additional Advocate General fairly states that mere completion of normal tenure at one station cannot be a ground to seek transfer, rather in that regard it is the prerogative of the employer. He states that as and when school will be closed, Government may consider the posting of the petitioner at required station, but ground otherwise sought to be raised for transfer is not tenable, especially when Government of Himachal Pradesh has now taken a policy decision that in mid academic session no teacher shall be transferred.

3. True it is that it is the sole prerogative of the employer to post an employee at a particular station, but once there is no specific denial to the fact that school, where at present petitioner is working is likely to be closed on account of decrease in strength of students, coupled with the fact petitioner has already made representation for her placement at one of the station against vacant post, this Court sees no impediment in issuing direction to the respondents to consider and decide the pending representation (Annexure P-2) of the

petitioner expeditiously, preferably within a period of three weeks. Ordered accordingly. Needless to say, authority concerned while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate order. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

October 13, 2025
(shankar)