

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.18641 of 2025
Date of Decision: 27.11.2025

Sh. Sanjeev Kumar		Petitioner
	Versus	
State of H.P. and Others		Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Mr. Devender K. Sharma, Advocate.

For the Respondents: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General, with Mr. Ravi Chauhan and Mr. Anish Banshtu, Deputy Advocates General, for State.

Sandeep Sharma, Judge (oral):

Petitioner herein is aggrieved of order dated 18.08.2025, whereby representation, having been filed by him in terms of order dated 11.07.2025 passed in CWP No.11183 of 2025, titled as *Sanjeev Kumar Vs. State of H.P. and Others*, praying therein for transfer under 5% inter-district quota, came to be rejected, on the ground that at present, there is single Teacher in the School and in the event of transfer of the petitioner, studies of student studying in GPS Noti, Education Block Nankhari, would be adversely affected.

2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. Devender K. Sharma, learned counsel representing the petitioner is that once Notification dated 20.11.2021 (Annexure P-1) clearly provides for 5%

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

inter-district quota for inter-district transfer from one district to another district, coupled with the fact that petitioner has already completed five years in District Shimla, prayer made on his behalf for transfer from District Shimla to District Una could not have been rejected.

3. Though having taken note of Notification dated 20.11.2021 (Annexure P-1), there appears to be merit in the contention of learned counsel representing the petitioner, but this Court certainly cannot lose sight of the fact that in the event of petitioner's transfer from the present place of posting to one of the stations, as prayed for in the petition, studies of students studying in GPS Noti, Education Block Nankhari, would be seriously affected, as such, this Court sees no reason to interfere with the impugned transfer order, however, having taken note of the fact that academic session shall be over by the end of December, 2025, this Court, deems it fit to dispose of the petition, with the direction to respondents to consider and decide the case of the petitioner afresh for inter-district transfer, after closure of academic session in December, 2025, as prayed by him vide representation (Annexure P-3), in terms of Notification dated 20.11.2021. Ordered accordingly. It is clarified that at the time of doing the needful in terms of of instant order, plea otherwise sought to be raised by respondents with regard to non-availability of vacancy shall not come in the way of the competent authority, rather in that regard, whole responsibility to provide Teacher at the School concerned is of the department. Since order dated 18.08.2025 nowhere

suggests that prayer made on behalf of the petitioner has been rejected on the ground of non-availability of post in District Una, this Court hopes and trusts that vacancy, if any available, shall not be filled up, compelling petitioner herein to again approach this Court. Needful in terms of instant order shall be done by the respondents expeditiously, preferably, within a period of five weeks.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

**(Sandeep Sharma),
Judge**

November 27, 2025
(Rajeev Raturi)