



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

ON THE 30th DAY OF MARCH, 2022

BEFORE

HON'BLE MS. JUSTICE SABINA

&

HON'BLE MR. JUSTICE SATYEN VAIDYA

CIVIL WRIT PETITION No. 1840 of 2022

Between:-

**SUNITA DEVI, TGT (N/M) AGE 47
W/o Sh. SHASHI CHADDA,
R/O House No. 109, HOUSING
BOARD COLONY, TEHSIL HAMIRPUR,
DISTRICT HAMIRPUR, H.P.-175007.**

.....PETITIONER

**(BY MR. PAWAN K. SHARMA,
ADVOCATE)**

AND

- 1. STATE OF H.P., THROUGH
SECRETARY (EDUCATION) TO THE
GOVERNMENT OF HIMACHAL
PRADESH, SHIMLA-2.**
- 2. DIRECTOR, ELEMENTARY
EDUCATION, SHIMLA,
DISTRICT SHIMLA, H.P.**
- 3. DEPUTY DIRECTOR, ELEMENTARY
EDUCATION (MANDI),
HIMACHAL PRADESH.**

.....RESPONDENTS

**(BY MR. VIKRANT CHANDEL,
DEPUTY ADVOCATE GENERAL)**

This petition coming on for admission this day, Hon'ble Ms. Justice Sabina, passed the following:

ORDER

Petitioner has filed the petition under Article 226 of the Constitution of India, seeking following relief:-

“(i) That the present writ petition may kindly be allowed with cost and the respondents may be directed to transfer and post the petitioner from G.S.S.S. Doghari, VPO Doghari to a place near petitioner's native place.”

2. Learned counsel for the petitioner has submitted that petitioner was appointed as Trained Graduate Teacher (TGT) at Government Senior Secondary School Doghari in the year 2018. Petitioner was posted at a distance of 225 kms. away from her native place. Father-in-law and mother-in-law of the petitioner were aged 80 years and 78 years, respectively. They were suffering from various ailments and required the assistance of the petitioner. Husband of the petitioner was a Central Government employee and was posted at Kullu. The petitioner had made a representation for her transfer to a place near to her home, but no action had been taken on the same so far.

3. The post held by the petitioner is a transferable post. It is for the employer to consider the question *vis-à-vis* posting of an

employee. It is in the domain of the employer to consider appointment of an employee as per administrative exigencies. Petitioner has already approached the respondents by way of a representation for redressal of her grievances. However, this Court cannot direct the respondents to post the petitioner to a particular place, while exercising extraordinary jurisdiction under Article 226 of the Constitution of India.

4. No ground for interference is made out. Accordingly, the petition is dismissed.

**(Sabina)
Judge**

**(Satyen Vaidya)
Judge**

**March 30, 2022
(tm)**