

Government of Himachal Pradesh
Department of Irrigation of Public Health

No.IPH(A)2(B)5-41/2015

.....
Dated Shimla-171002, the 28/2/ 2017

ORDER

WHEREAS Shri Naresh Kumar, Assistant Engineer was transferred from IPH Sub Division, Koti (under IPH Division No.I, Shimla) to O/o Engineer in Chief, IPH Department, US Club, Shimla against vacancy and Shri Vinod Kumar on promotion as Assistant Engineer (Civil) was posted at IPH Sub Division, Koti in place of Shri Naresh Kumar, Assistant Engineer vide this Department's notification No.IPH(A)2(B)1-5/2016 dated 2.1.2017.

WHEREAS Shri Naresh Kumar Assistant Engineer had filed an application in the Hon'ble Administrative Tribunal as O.A.49/2017 Naresh Kumar Vs State of HP against the above transfers orders.

WHEREAS Hon'ble Administrative Tribunal vide its judgment dated 5.1.2017 has passed the following orders:-

".... In the facts and circumstances of the case and interest of justice, the original application is disposed of with a direction that the applicant may file a comprehensive representation, before 1st respondent through the ACS (IPH) to the Govt. of H.P, supported by document, with a request for cancellation of his transfer, within five days from the date of receipt of a certified copy of this order. 1st respondent shall consider and decide the same in accordance with law and the transfer policy, within ten days. Needless to add that the applicant as well as respondent No.2 shall be afforded an opportunity of being heard, if so desired. The applicant shall produce a certified copy of this order before him within three days. The decision on the representation, office order dated 02.01.2017, Annexure A-3, qua the applicant shall remain stayed.

AND WHEREAS the Applicant Sh. Naresh Kumar and the Private Respondent Sh. Vinod Kumar were heard in person on 1st February, 2017 and 14th February, 2017 respectively. The applicant Shri Naresh Kumar stated that he was transferred from IPH Sub Division, Koti to O/o ENC(IPH) without completing his normal tenure and requested to retain him at IPH Sub Division, Koti. The version of Shri Vinod Kumar, Assistant Engineer was that he had complied the orders of the Govt. and joined at IPH S/D Koti on his promotion. In case, he is to be adjusted somewhere else, he may be adjusted nearby Shimla. The requests made by the applicant and the respondent No.2 have been considered.

.....2/-.....

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NOW THEREFORE, after considering the request, Sh. Naresh Kumar Assistant Engineer will continue to work at IPH Sub Division, Koti and the orders of adjustment of Sh. Vinod Kumar, Assistant Engineer has already been issued to IPH Sub Division, Kasumpti vide this Department's notification of even No. dated 18.2.2017.

Accordingly, the representation is considered and disposed off.

BY ORDER

(ANURADHA THAKUR)
Secretary (IPH) to the
Government of Himachal Pradesh

Regd.

Shri Naresh Kumar
Assistant Engineer
IPH Sub Division, Koti

Endst.No. As above:

Dated: Shimla 28/2, 2017

Copy forwarded for information and necessary action to :-

- ✓ 1. The Engineer-in-Chief, IPH Department, Shimla-1.
2. The Chief Engineer, IPH Zone Dharamshala. Shimla.
3. The S.E. IPH Circle, Chamba. Shimla.
4. The Executive Engineer, IPH Division, Chamba. Shimla-I
5. Concerned Officers.
6. Personal/Guard file.

M. Jassal

(Man Mohan Jassal)

Deputy Secretary (IPH) to the
Government of Himachal Pradesh
Phone No.0177-2626482