

Government of Himachal Pradesh
"Public Works Department"

No. PBW-A-B(6)-24/2018

Dated; Shimla-171002, the

24th Sept, 2018

ORDER

Whereas, Shri Arvind Lakhanpal, Assistant Engineer(Civil) holding the charge of the post of Executive Engineer(Civil) H.P.PWD. Division Dodrakwar (Shimla) was transferred/ordered to hold the charge of the post of Executive Engineer, H.P.PWD. Division Sarkaghat (Mandi) in his existing pay scale vide this department Notification of even number dated 25-07-2018 vice Shri Manish Kumar, Executive Engineer(Civil) H.P.PWD.Division Sarkaghat (Mandi). The transfer/adjustment orders of Shri Manish Kumar, EE, Sarkaghat was to be issued separately.

Whereas, feeling aggrieved with the above transfer orders, Shri Manish Kumar, EE filed an OA. No. 4379/ 2018 in the Hon'ble H.P .Administrative Tribunal, Shimla. Hon'ble Administrative Tribunal while disposing of the OA vide its order dated 30-07-2018 passed the following directions :-


" Filing of replies is dispensed with. With the consent of the parties, the present original application is taken up for disposal at this stage. In the facts and circumstances of the case, the original application is disposed of with a direction and the applicant may file a comprehensive representation for cancellation of his transfer or suitable adjustment alongwith certified copy of this order to 1st respondent through the Additional Chief Secretary(PWD) to the Govt. of H.P. within five days . 1st respondent shall decide the same after affording an opportunity of being heard to the applicant as well as private respondent No.2, if so desired, by 16-08-2018. Status quo be maintained till decision of the representation."

Whereas, said Shri Manish Kumar, EE did not provide a certified copy of the said order dated 30-07-2018 within 5 days as directed by the Hon'ble Tribunal. However, he submitted his representation on 20-08-2018 only and accordingly personal hearing was fixed on 01-09-2018 for both incumbents. Shri Manish Kumar EE attended hearing on said fixed date, but Shri Arvind Lakhanpal, AE(holding charge of EE) did not attend hearing citing adverse circumstances and submitted request to this effect. Hence, personal hearing was again fixed for 14-09-2018.

Whereas, on 14-09-2018 both incumbents were present and heard in person. The applicant Shri Manish Kumar, EE submitted that he is being transferred time and again

and since his joining the service he had served at the various stations including tribal area and therefore requested that he may be either allowed to continue at present place of posting as EE Sarkaghat Division or may be adjusted in the vicinity of Hamirpur. Further Shri Manish Kumar EE submitted his choice of posting stations namely HPPWD Division, Hamirpur, O/o C.E.HPPWD, Hamirpur, Divn. Palampur and Division Ghumarwin(Bilaspur). However on perusal of record, it is found that there is neither any vacancy of EE available at above choice stations nor the present incumbents have a complete tenure. However, as per record, the post of EE Palampur Division is likely to be vacant in near future due to promotion of the present incumbent. Shri Arvind Lakhanpal, AE(Civil) holding charge of the post of EE(Civil) submitted that since he has joined as EE Sarkaghat a month ago, therefore, he may be allowed to continue as such.

Now therefore, after due consideration of the facts and circumstances submitted by both the Officers, Shri Manish Kumar, Executive Engineer (Civil) is ordered to be adjusted temporarily in O/o Chief Engineer(HZ),HPPWD, Hamirpur and on availability of vacancy of EE in HPPWD Division Palampur (Kangra), he is ordered to be posted as E.E(Civil) in HPPWD Division Palampur (Kangra) in the public interest. Hence, his representation is hereby disposed off. All concerned be informed accordingly.

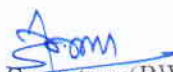

(Manisha Nanda) 24.9.18.

Additional Chief Secretary(PW) to the
Government of Himachal Pradesh.

Endst. No. PBW-A-B(6)-24/2018 Dated; Shimla-171002, the 24th Sept, 2018

Copy for information and necessary action is forwarded to the following :-

1. The Ld. Addl. Advocate General, HPAT, Shimla-171002.
2. The Engineer-in-Chief, HPPWD, Nirman Bhawan, Shimla-171002.
3. The Chief Engineers(HZ)/(MZ)HPPWD. Hamirpur/Mandi.
4. The S.E. HPPWD., Circle, Mandi.
5. Shri Manish Kumar, Executive Engineer, HPPWD.Division, Sarkaghat(Mandi)
6. Shri Arvind Lakhanpal, AE(C)(holding the charge of EE) H.P.PWD.Division, Sarkaghat, District Mandi.


Special Secretary(PW) to the
Government of Himachal Pradesh.