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## Himachal Pradesh Public Works Department

### #MEMORANDUM#

Whereas, Sh. Praveen Kumar, while working as Driver in HPPWD B&R Division Sunder Nagar was transferred to HPPWD B&R Division Karsog vice versa Sh. Amar Singh, Driver vide this office order No. PWE-133-9(Driver)/2022-ES-III-6256-60 dated 28.07.2022 on the approval of competent authority vide U.O. No. Secy/CM-17027/2017-VIP-C-421379 dated 26.07.2022. Feeling aggrieved against these orders, Sh. Praveen Kumar, Driver filed CWP No. 5355/2022 titled as Praveen Kumar vs State of HP & others before the Hon'ble High Court and same was disposed off on 25.08.2022 with the following directions:-

3) "In compliance to the aforesaid directions, the respondents have now produced the record which go to indicate that petitioner has been ordered to be transferred solely on the basis of D.O. Note. That apart, long list of employes along with the petitioner have been transferred on the recommendations of the local MLA along with the stations to where the said employees including the petitioner were to be posted. Obviously, in such circumstances, the order of transfer cannot sustain as it is the prerogative of the employer to issue orders of transfers and postings and the same cannot be dictated or cannot be at the behest or dictate of the politicians. This issue has been dealt with by this Court in CWP No. 2621 of 2020 titled as Lekh Raj vs State of HP & others.

4) Accordingly, we find merit in the petition and the same is allowed and transfer order dated 26.07.2022 is quashed and set aside. Pending applications, if any, also stand disposed of."

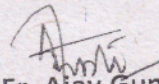

Now, in compliance to the direction/judgment passed by the Hon'ble High Court of Himachal Pradesh Shimla transfer order as issued vide this office order PWE-133-9(Driver)/2022-ES-III-6256-60 dated 28.07.2022 is hereby cancelled with immediate effect in the public interest. The Executive Engineer,

F.R.  
✓  
ee (1+) 01/10/22  
uplaid on  
official  
website.  
JE(1+)



HPPWD Division Sunder Nagar is hereby directed to relieve Sh. Amar Singh, Driver with the direction to join his duties in HPPWD B&R Division Karsog immediately under intimation to this office.

May inform the officials accordingly.

  
(Er. Ajay Gupta)  
Engineer-in-Chief,  
HPPWD., Shimla-02.  


Registered:-

Sh. Praveen Kumar, Driver  
O/o the Executive Engineer,  
HPPWD B&R Division Sunder Nagar,  
Distt. Mandi HP.

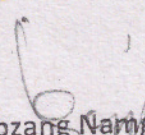
No.-PWE-133-9(Driver)/2022-ES-III-

8318-23

Dated:- 1-10-2022

Copy forwarded to the following:-

1. The Superintending Engineer, 1st Circle HPPWD Mandi.
2. The Executive Engineer, HPPWD B&R Divn. Sunder Nagar.
3. The Executive Engineer, HPPWD B&R Divn. Karsog.
4. The Executive Engineer (IT), HPPWD Shimla-02.
5. Guard file.

  
(Lobzang Namgyal)  
Registrar,  
HPPWD Shimla-02.  
