

Public Works Department

No. PBW-A-E(1)-14/2020

Dated: Shimla the

2nd, June 2023

ORDER

WHEREAS, Sh. Mohinder Singh, Assistant Engineer (Civil) had assailed his transfer from HPPWD Sub Division Trella (Shour) to HPPWD Division Dalhousie issued vide notification dated 05.11.2019 in the Hon'ble High Court by filing a petition CWP No. 18/2020-titled as Mohinder Singh Vs State of H.P. and others, wherein prayer was also made to pass direction to the respondent State to consider his request for transfer from HPPWD Sub Division Trella (Store) to AE (QA), O/o Chief Engineer (KZ) Dharamshala against vacancy in view of his family circumstances;

2. WHEREAS, the Hon'ble High Court of H.P. vide order dated 09.01.2020 had stayed the operation and execution of above mentioned transfer notification dated 05.11.2019 and the petition was disposed off on 02.08.2022 with directions as under:-

"The learned counsel for the petitioner seeks leave to withdraw the petition, with liberty to make a representation to respondent No. 1-Principal Secretary (PWD) to the Government of Himachal Pradesh.

2. The petition is allowed to be withdrawn, with liberty as prayed. We record the statement of the learned counsel for the petitioner that the representation shall be made within a period of two weeks from today. If such representation is made, the same shall be decided by respondent No. 1 expeditiously and in any event within a period of four weeks from the date of receipt of the representation.

3. Until the representation is decided, the ad-interim order dated 9th January, 2020, staying the operation and execution of impugned notification dated 05th November, 2019, shall continue to operate.

4. The pending application(s), if any, also to stand disposed of."

3. WHEREAS, in pursuant to above directions of Hon'ble Court, Sh. Mohinder Kumar, Assistant Engineer (Civil) was required to prefer his representation within two weeks


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F.P.P.

which he preferred on dated 26.04.2023 i.e. after period of more than eight months whereby he has requested to adjust him as AE (QA) in O/o Chief Engineer (KZ) Dharamshala against vacancy in view of his family circumstances;

4. **AND WHEREAS**, having gone through the record, it is fact that the concerned officer did not prefer his representation within time limit as per directions of Hon'ble Court and the post of AE to EE was shifted from HPPWD Division Dalhousie to HPPWD Division Chowari on 28.01.2023 which is filled up at present but post of AE (QA) in O/o Chief Engineer (KZ) Dharamshala is lying vacant; and

5. **THEREFORE**, keeping in view of family circumstances of Sh. Mohinder Kumar, Assistant Engineer (Civil), as stated in his representation, he is hereby adjusted/posted as AE (QA), O/o Chief Engineer (KZ) Dharamshala against vacancy, with immediate effect.


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

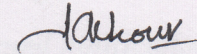
Endst No. As above

Dated: Shimla-2 the

2nd June, 2023

Copy forwarded to the following for information & necessary action:-

1. The Ld. Advocate General, Himachal Pradesh, Shimla-171002.
2. The Engineer-in-Chief, HPPWD, Nirman Bhawan, Shimla-171002.
3. The Chief Engineer (KZ) at Dharamshala.
4. The Superintending Engineer (Civil) HPPWD 7th Circle Dalhousie, Distt. Chamba.
5. The Executive Engineer (Civil) HPPWD Division Killar, Distt. Chamba.
6. Sh. Mohinder Singh, Assistant Engineer (Civil), HPPWD Sub Division Trella (Shour).
7. Guard file.


(Surjeet Singh Rathore)
Joint Secretary (PW) to the
Government of Himachal Pradesh