

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3151/2024

Naveen Yadav S/o Shri Rajendra Kumar, Aged About 28 Years,
Resident Of Chak-12 Hmh Kohla, Tehsil And District-
Hanumangarh.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Agriculture, Pant Krishi Bhawan, Govt. Of Rajasthan, Jaipur.
2. Agriculture Commissioner, Government Of Rajasthan, Jaipur.
3. Joint Director, Agriculture (Administrative), Jaipur.
4. Assistant Director, Agriculture (Extension), Hanumangarh Junction, District- Hanumangarh.
5. Sanjay Kumar, Working On The Post Of Agriculture Supervisor, Head Office- Rauta, Office Of Assistant Director, Agriculture (Extension), Bheenmal, District- Jalore.

-----Respondents

For Petitioner(s)	:	Mr. R.C. Joshi
For Respondent(s)	:	Mr. M.C. Bishnoi

HON'BLE MS. JUSTICE REKHA BORANA

Order

04/03/2024

1. Learned counsel for the petitioner submits that vide impugned order dated 20.02.2024, the petitioner has been sought to be transferred from Head Office Gurusar, Office of Assistant Director, Agriculture (Extension), District Hanumangarh to Head Office Rauta, Office of Assistant Director Agriculture (Extension), Bhinmal, District Jalore i.e. from one district to another and the

same is in contravention to Rule 8 (iii) of the Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011.

2. Learned counsel submits that so far as the Division Bench judgment in the case of ***Dinesh Kharadi vs. State of Rajasthan & Ors. D.B. Spl. Appl. Writ No. 34/2023*** (decided on 01.02.2023) is concerned, the same would not apply in the present matter as in the said matter, the transfer order was signed by Joint Secretary of Panchayati Raj Department also and hence, the term "उक्त आदेश सक्षम स्तर से अनुमोदित है।" was presumed to be a compliance of Rule 8 (iii) of the Rules of 2011.

Learned counsel submits that no such presumption can be made in the present matter.

3. Learned counsel for the respondents is not in a position to refute the fact that no consent of the Panchayati Raj Department has been taken before passing of the order dated 20.02.2024.

4. In view of the submission made, Admit. Issue notice.

Notices need not be issued to respondent Nos. 1 to 4 as they are already represented by counsel.

Issue notice to respondent No.5 only.

Notices be filed in two sets within a period of one week. One set of notices be given 'dasti' to learned counsel for the petitioner for service through registered post, acknowledgment due. Notices be made returnable on 28.03.2024.

Postal receipts of the 'dasti' notices be filed within a period of one week from the date of receipt of the 'dasti' notices.

5. The effect and operation of impugned order dated 20.02.2024 shall remain stayed qua the present petitioner till the next date.



[CW-3151/2024]

If the notices/postal receipts as directed, are not filed within the stipulated period, the present interim order shall cease to operate.

(REKHA BORANA),J

360-AbhishekK/-