

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

S.B. Civil Writ Petition No. 4110/2026

Prahlad Singh Sahu S/o Khub Chand Sahu, Aged About 42 Years,
R/o Ward No. 06, Sangthiya, Lalaniya, Hanumangarh, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, School Education Department, Govt. Secretariat, Rajasthan, Jaipur.
2. The Director, Secondary Education, Rajasthan, Bikaner.
3. The Principal, Govt. Girls Sr. Secondary School, Dalpatpura, Hanumangarh.

-----Respondents

For Petitioner(s) : Mr. Hans Ram Nimbar with
Mr. R.P. Saini.

For Respondent(s) : Mr. S.S. Rathore.

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

18/03/2026

1. Learned counsel for the petitioner submits that petitioner was working as a School Lecturer (Hindi Literature) at Government Girls Senior Secondary School, Dalpatpura, Hanumangarh; however, he has now been transferred to Government Senior Secondary School, Miyasa, Banswara, which is approximately 750 kms away from his earlier place of posting.

2. Learned counsel for the petitioner has relied upon various medical documents and submits that petitioner's wife is suffering from a uterus cyst and petitioner's brother is suffering from a mental disorder.

3. It is further submitted that petitioner is solely responsible for the well-being of the other members of his family, especially in view of which, his transfer to the new place approximately 750 kms away has caused grave hardship to him and his family. Learned counsel also states that similar posts are lying vacant in nearby areas.

4. It is also submitted that in a similar circumstance, where an employee of same cadre had been transferred to a place about 600 kms away, Learned Rajasthan Civil Services Appellate Tribunal passed an interim order dated 12.11.2025; however, in the case of petitioner, stay petition of petitioner was rejected and directions were issued to Respondent Authorities to decide his representation. Learned counsel submits that despite said order having been passed by Learned Rajasthan Civil Services Appellate Tribunal, representation of petitioner has not been decided till date.

5. Learned counsel for the respondents submits that the issue relates to transfer of an employee, which is an incident of service, and that personal hardships faced by employee cannot be a ground for interference with transfer order.

6. Heard learned counsel for the parties and perused the material available on record.

7. Factual averments made before this Court are supported by relevant documentary evidence. It is also noticed that Learned Rajasthan Civil Services Appellate Tribunal has not maintained judicial parity. Where, in one case of an employee being transferred to a place 600 kms away, an interim order has been passed; however, in the case of petitioner, who has been

transferred at a place 750 kms away, stay petition has been rejected by learned Tribunal. This Court also notes that despite directions given by Learned Rajasthan Civil Services Appellate Tribunal, representation of petitioner has not been decided till date.

8. In this view of the matter, present writ petition is **disposed of** with liberty to petitioner to file fresh representation along with a certified copy of this order, raising all objections and grievances, including availability of similar posts in nearby areas.

9. Respondent No. 2 is expected to consider and decide said representation in an objective and sympathetic manner while also exploring the possibility of posting petitioner to a nearer place of posting. Furthermore, it is directed that such representation shall be decided by passing a speaking order within a period of 30 days from the date of receipt of such representation.

10. Till that time, effect and operation of order dated 10.01.2026 shall remain stayed qua petitioner.

11. Stay application and all other pending applications, if any, also stand disposed of.

(SANJEET PUROHIT),J