

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

S.B. Civil Writ Petition No. 4399/2026

Rajendra Prasad Sharma S/o Shri Bhanwarlal Sharma, Aged About 59 Years, Resident Of Ward No.-18, Sahwa, Tehsil-Taranagar, District- Churu.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Panchayati Raj Department, Jaipur.
2. The Chief Executive Officer, Zila Parishad Churu.
3. The Block Development Officer, Panchayat Samiti Taranagar, District- Churu.
4. Gram Panchayat, Dheerwas Bada, Tehsil- Taranagar, District- Churu Through Its Administrator.

-----Respondents

For Petitioner(s) : Mr. Suniel Purohit.

HON'BLE DR. JUSTICE NUPUR BHATI
Order

25/02/2026

1. Learned counsel for the petitioner submits that vide office order dated 18.02.2026 (Annex.7), the respondents have transferred the petitioner from Gram Panchayat, Dheerawas Bada and directed him to join at Gram Panchayat Chhota, which is without jurisdiction as the same has been passed by Vikas Adhikari (Block Development Officer), who is not the competent authority and the competent authority to pass such an order is the Chief Executive Officer / Additional Chief Executive Officer. He submits that the BDOs / Vikas Adhikaris are not authorized to independently transfer Panchayat officials within the Panchayat Samiti.

2. In this context, learned counsel for the petitioner places reliance upon an order dated 30.04.2024 passed in **SBCWP No.2909/2024 (Kera Ram Vs. State of Rajasthan & Ors.)**, wherein, a Co-ordinate Bench of this Court while dealing with the issue whether a BDO/VDO is authorized to independently transfer Panchayat officials within the Panchayat Samiti, observed and held as under:-

“The CEO/Addl. CEO (DEO & BDO) can issue orders only under State Government’s instructions, as per Rule 289 of the Rajasthan Panchayati Raj Rules, 1996. Generally, the power to transfer lies with the Panchayat Samiti, Zila Parishad, or the State Government. When there is disagreement between these bodies and the State, the power is delegated to the CEO/BDO/Vikas Adhikari to execute State Government instructions. But BDOs/VDOs are not authorized independently to transfer Panchayat officials within the Panchayat Samiti. Further, BDOs/VDOs are not authorized to independently order an appointment by transfer of Panchayat officials within the Panchayat Samiti without consulting the Pradhans or Pramukhs of the involved Panchayat Samiti or Zila Parishad. Thus, the answer to questions 3 and 4 is negative.”

3. In view of the submissions made, issue notice. Issue notice of the stay application also.

4. In the meanwhile and until the next date, the effect and operation of the order dated 18.02.2026 (Annex.7), shall remain stayed and the respondents are directed to allow the petitioner to join at Gram Panchayat, Dheerawas Bada.

(DR.NUPUR BHATI),J