

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

S.B. Civil Writ Petition No. 4768/2026

Mohan Lal Chalia S/o Shri Tiku Ram, Aged About 45 Years, R/o
Ward No. 23, Tehsil Pilibanga, District Hanumangarh.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Education, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Director, Secondary Education, Bikaner, District Bikaner, Rajasthan.
3. The Additional State Project Director-First, Rajasthan State Education Council, Dr. Radhakrishnan Shiksha Sankul, Eklavya Bhawan, Jawahar Lal Nehru Marg, Opp. Ots Bridge, Jaipur, District Jaipur, Rajasthan.
4. The Joint Director, School Education, Udaipur Division, Udaipur.
5. The Principal, Swami Vivekanand Government Model School, Suratgarh, Block Suratgarh, District Sriganganagar, Rajasthan.
6. Joint Director, School Education, Division Bikaner.
7. District Education Officer (H.q.), Secondary Education, District Sriganganagar.

----Respondents

For Petitioner(s) : Mr. Vishal Jangid.

HON'BLE DR. JUSTICE NUPUR BHATI
Order

25/02/2026

1. The instant writ petition has been preferred on behalf of the petitioner seeking following relief:

"A. By an appropriate writ, order or direction, any order whereby, the petitioner is not permitting to relive from her present posting place to her original department may kindly be quashed and set aside.

B. By an appropriate writ, order om direction, the respondents may kindly be directed to permit the petitioner to relive from the present posting place i.e. Swami Vivekanand Government Model School, Suratgarh, Block Suratgarh, District Sriganganagar to join at her respective school of original department with all consequential benefits.

C. Any other appropriate writ, order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner.

D. Writ petition filed by the petitioner may kindly be allowed with costs."

2. The petitioner was sent on deputation for a period of one year vide order dated 22.08.2017, however, due to administrative exigencies, the deputation period was extended and he has completed eight years on deputation. His grievance is that even after completion of eight years of deputation, he is not being relieved.

3. As per clause 2 (iv) of Rule 144-A of Rajasthan Service Rules, the initial period of deputation is one year, but in the public interest, the period can be extended up to three more years. Although, there is a provision that under some exceptional circumstances, the deputation period may be extended for a longer duration but only after obtaining concurrence from the Finance Department. In the present case, it is not in dispute that the petitioner completed eight years on deputation and no further extension has been sought.

4. The factual matrix in the present matter is similar with the decision of Co-ordinate Bench of this Court on 09.05.2022 in S.B. Civil Writ Petition No.179/2022 titled as **Rajesh Lamba vs. State of Rajasthan and Ors.** The said order is reproduced as under:-

"This writ petition has been filed by the petitioner seeking direction to respondent No.3 to relieve the petitioner from deputation for joining pursuant to the order of petitioner's posting dated 14.8.2021.

Submissions have been made that the petitioner was sent on deputation for a period of one year by order dated 5.8.2021, he was relieved on 7.8.2021 and joined on deputation post on 10.8.2021, however, the order dated 14.8.2021 came to be passed by respondent Nos. 1 and 2 i.e. the Parent Department transferring the petitioner to a School at Chachundra, District Ajmer. The petitioner sought his relieving from the deputation place for joining pursuant to order of transfer dated 14.8.2021, which was not accepted/responded and, therefore, the present petition has been filed.

On notices being issued, the respondent No.3 has filed response to the petition, inter alia, indicating that the petitioner has been sent on deputation for a period of one year and that as soon as that one year period would be completed i.e. on 9.8.2022, the petitioner would be relieved and prior to that, relieving the petitioner would disturb the academics at the School of respondent No.3, which cannot be in the interest of students.

I have considered the submissions made by learned counsel for the parties and have perused the material available on record.

A perusal of the order dated 5.8.2021 (Annex.2) clearly reflects that the petitioner has been sent on deputation under Rule 144A of RSR for a period of 'one year', pursuant thereto the petitioner was relieved on 7.8.2021 and he joined at the School on deputation on 10.8.2021.

Apparently, the respondent Nos. 1 and 2 oblivious of the order of the petitioner's posting order dated 5.8.2021 within a period of 4 days i.e. on 14.8.2021 accorded posting to the petitioner at different School by indicating his place of 'present posting' as the place from where he had already left for deputation with respondent No.3. The petitioner for reasons best known to him sought enforcement of the order of transfer dated 14.8.2021 and sought to be relieved by the respondent No.3.

The submissions made by counsel for the respondent No.3 regarding the fact that the petitioner having not completed the period of one year, on which he has been sent on deputation, relieving him at this stage, is likely to disturb the academics of the School of respondent No.3 appears to be totally justified.

Learned counsel for the respondent has further assured that the petitioner would be relieved as soon as the period of deputation is over.

In view of the above fact situation, wherein the petitioner has been sent on deputation for a period of one year, which period is not over and the respondent No.3 is ready to relieve the petitioner once the period of deputation is over, the petition filed by the petitioner is disposed of. The respondent No.3 shall relieve the petitioner on completion of deputation for joining at the Parent Department on or before 10.8.2022."

5. In this view of the matter as well as taking into consideration the aforesaid order, the instant writ petition is disposed of with a direction to the Department to relieve the petitioner for joining at the Parent Department on or before 31.03.2026.

6. The stay petition also stands disposed of.

(DR.NUPUR BHATI),J

263-S.Sharma/-