

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

S.B. Civil Writ Petition No. 6379/2026

Amita Purohit D/o Shri Vijay Prakash Purohit W/o Late Shri Suresh Vyas, Aged About 43 Years, Resident Of D-228F, Murlidhar Vyas Colony, Bikaner, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Secondary Education Department, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Director, Secondary Education, Rajasthan, Bikaner.
3. The District Education Officer (Hq), Secondary Education, Bikaner.
4. Prprincipal, Government Girls Senior Secondary School, Gurudwara Rani Bazar, Bikaner, Rajasthan.
5. Madan Lal Karwasra, Lecturer Sanskrit, Presently Working At Shahid Gunner Shri Mukesh Bhaskar Government Senior Secondary School, Bhukhreri, Churu, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Pramendra Bohra.
For Respondent(s)	:	Mr. Sajjan Singh Rathore. Mr. Praveen Choudhary.

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

25/03/2026

1. Present writ petition has been filed challenging transfer order dated 10.01.2026, whereby petitioner, who was working as Lecturer (Sanskrit) at Government Girls Senior Secondary School, Gurudwara Rani Bazar, Bikaner, has been transferred to Government Senior Secondary School, Napasar Sinthal Road, Bikaner, which is approximately 70 kms. away from her earlier place of posting.

2. Learned counsel for the petitioner submits that petitioner is a widow lady and solely responsible for taking care of her 5 year old son and her aged father in law. It is thus submitted that her transfer to a place 70 kms. away will cause undue hardship to her as well as her family members.

3. Learned counsel has placed reliance upon transfer guidelines dated 14.07.2022 issued by Respondent Department, specifically Condition No. 5 of said guidelines, which provides that a widow / divorcee / female suffering from any serious disease should not ordinarily be relieved from her place of posting. It is further submitted that these facts were taken into account

4. Learned counsel for the petitioner states that an appeal challenging impugned transfer order was preferred before learned Rajasthan Civil Services Appellate Tribunal, Jodhpur, which, after taking into consideration all the aforementioned facts, vide order dated 19.01.2026, passed an interim order in favour of petitioner and issued directions to respondent authorities to consider and decide representation of petitioner. It is contended that representation of petitioner has not been considered by respondent department in an objective and sympathetic manner and has been rejected by passing a non-speaking and unreasoned order.

5. It is also contended that petitioner has been transferred only with a view to accommodate respondent no. 5 in her place. It is further averred that in various other similar cases, where directions were issued by Learned Tribunal to consider the representations of aggrieved employees, respondent No. 2 have

decided the representations in a similar manner, by passing non-speaking orders.

6. Per contra, learned counsel for the respondents submits that the transfer has been made on account of administrative exigency, and since petitioner has been transferred only at a distance of 70 kms., present is not a fit case to warrant interference.

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

8. A perusal of the record shows that Guidelines dated 14.07.2022 issued by the respondent department stipulates certain conditions regulating transfer of employees in the education department. Condition No. 5 of said guidelines reads as under:

“यदि स्थानान्तरित स्थान पर कार्यरत कार्मिक विधवा/परित्यक्ता/दृष्टिहीन/ दोनों पैरो से दिव्यांग/गंभीर बीमारी (कैन्सर, ब्रेन ट्यूमर, गुर्दा प्रत्यारोपण)/परिवीक्षाधीन कार्मिक एवं सेवा निवृत्ति में एक वर्ष शेष रहने वाली श्रेणियों में आ रहा हैं तो कार्मिक का स्थानान्तरण नहीं किया जावे। यदि स्थानान्तरित कार्मिक कार्यमुक्त होकर आता हैं तो उसे कार्यग्रहण नहीं कराया जावे।”

A bare reading of the provision makes it clear transfer of a widow should not be effected in a routine or casual manner, that too, merely to accommodate another person at her place of posting. Undisputed facts of the case clearly shows that petitioner is a widow lady and the only person responsible for taking care of her son and aged father in law.

9. In such circumstances, it cannot be denied that transfer of petitioner to a place 70 kms. away is likely to cause severe hardship not only to petitioner but also to her family members.

10. This Court is also not satisfied with the manner in which respondent no. 2 has dealt with the representation submitted by

petitioner. This Court has come across several other such matters whereby representations of similarly situated employees are rejected by passing such cyclostyled orders, which cannot be countenanced.

11. This Court is, therefore, of the considered view that respondent No. 2 has dealt with petitioner's representation with a predetermined mind and has failed to examine the same in an objective fair and sympathetic manner. The peculiar facts and circumstances of petitioner's case have not received due consideration, neither have the guidelines dated 14.07.2022 been considered.

12. Consequently, present writ petition deserves to be, and is, hereby allowed. Order dated 13.03.2026 rejecting petitioner's representation is quashed and set aside.

13. Petitioner is directed to submit a fresh representation raising all ground available to her in challenge to the transfer order within a period of 15 days from today. Upon receipt of such representation, respondent No.2 shall consider and decide the same afresh, strictly in accordance with law, by passing a reasoned and speaking order, while duly taking into account the peculiar facts of the petitioner's case as well as the guidelines dated 14.07.2022, with a period of 30 days thereafter. Respondent No. 2 shall also explore possibilities of placing petitioner at a nearby place.

14. Accordingly, instant writ petition stands **disposed of**.

15. Till the representation of the petitioner is decided, effect and operation of the impugned order dated 10.01.2026, insofar as it relates to petitioner, shall remain stayed, and respondents are

directed to permit the petitioner to discharge her services at her earlier place of posting.

16. Stay application and pending applications, if any, stand disposed of.

(SANJEET PUROHIT),J

143-sumer/-