



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

S.B. Civil Writ Petition No. 8451/2025

Mohammed Salim S/o Shri Asgar Khan, Aged About 47 Years,
Resident Of- Village And Post Jharia, Tehsil And District Churu, At
Present Posted As Principal, Govt. Senior Secondary School,
Jharia, Block And District Churu (Raj.).

----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary,
School Education And Panchayati Raj (Elementary
Education) Department, Govt. Secretariat, Jaipur.
2. The Secretary, Department Of Secondary Education,
Govt. Secretariat, Jaipur.
3. The Joint Secretary, Education (Group-2Nd) Department,
Jaipur.
4. The Director, Secondary Education, Bikaner.
5. The Joint Director, School Education, Zone Churu, Churu.
6. The Chief District Education Officer, Churu.
7. The Chief Block Education Officer, Samagra Shiksha,
Churu.
8. The Principal, Govt. Senior Secondary School, Jharia,
Block And District Churu (Raj.).

----Respondents

For Petitioner(s)	:	Mr. Yash Pal Khileree
For Respondent(s)	:	Mr. N.K. Mehta, Dy.G.C. with Mr. Vaibhav Bang

HON'BLE MS. JUSTICE REKHA BORANA

Order

24/04/2025

1. The present writ petition has been filed aggrieved of order
dated 12.04.2025 (Annexure-11) whereby the petitioner, after
being promoted as Principal/Equivalent Post has been transferred
from Churu to Bikaner.

2. Learned counsel for the petitioner submits that all the vacant seats qua District Churu, where he is presently posted, had not been reflected by the respondent-Department during the process of counselling and hence, the petitioner could not opt for the same. He submits that more than 25 seats are still vacant in District Churu and the petitioner can very well be accommodated qua any of the said posts. Moreover, the petitioner has been transferred from Churu to Bikaner at a distance of more than 200 kilometers which would cause serious hardship to him as he has old aged parents to look after.

3. Learned counsel further submits that in pursuance to the preferences called for, the petitioner filled up more than 90 preferences for specific schools as well as for different districts. But ignoring all the said preferences, the petitioner has been transferred from Churu to Bikaner vide order impugned.

4. With the above submissions, counsel submits that the order impugned dated 12.04.2025 (Annexure-11) deserves to be stayed also for the reason that as per the government instructions, if the petitioner does not join his transferred place of posting till 30.04.2025, it would be deemed that he has forgone his promotion.

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

6. Notices need not be issued as learned Dy.G.C., Mr. N.K. Mehta has put in appearance for all the respondents.

Service is hence, complete.

7. Let a copy of the writ petition be served on Mr. Mehta during the course of the day who may complete his instructions/file reply by the next date.

8. Meanwhile, the effect and operation of order dated 12.04.2025 (Annexure-11) shall remain stayed qua the present petitioner.

9. Further, the petitioner shall meanwhile be also at liberty to file a detailed representation raising all his grievances before the Competent Authority within a period of five days from now.

10. On such representation been filed, the respondent authorities shall be under an obligation to decide the same positively within a period of two weeks.

11. List the matter on 13.05.2025 after reflecting the name of Mr. N.K. Mehta as counsel for the respondent-Department in the cause list

(REKHA BORANA),J