

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 8813/2026

Bhikaram Jatiya S/o Shri Lauram Jatiya, Aged About 57 Years, R/o C-300, Near Hanuman Mandir, Azad Nagar, Bhilwara)(Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through The Commissioner Of Industries, Corporate Social Responsibility (Cst), Industries And Commerce Department, Udhyog Bhawan, Tilak Marg, Jaipur (Raj.)
2. The General Manager, District Industries And Commerce Centre, Rajsamand (Raj.)
3. The Deputy Secretary, Industries And Commerce (Group-2) Department Government Of Rajasthan, Udhyog Bhawan, Tilak Marg, Jaipur (Raj.)
4. Ms. Devyani Dodiya, Posted At Assistant Commissioner, District Industries And Commerce Centre, Udaipur.

-----Respondents

For Petitioner(s)	:	Ms. Twinkle Purohit
For Respondent(s)	:	

HON'BLE MR. JUSTICE ANAND SHARMA

Order

24/04/2026

Learned counsel for the petitioner has submitted that, vide order dated 27.03.2026, the petitioner has been posted, on the pretext of work arrangement, at the office of the General Manager, District Industries, Commerce Centre, Salumber. It is further submitted that prior to the passing of the impugned order dated 27.03.2026, the petitioner was posted at Rajsamand. Thus, under the guise of a cogent reason, the petitioner has effectively been transferred in an indirect manner only to accommodate respondent No. 4, whose earlier transfer order had been cancelled.

Learned counsel for the petitioner has further submitted that there is no provision under the Rajasthan Service Rules for posting a person merely on "work arrangement" basis, and in the present case, no formal transfer order as per the rules has been issued in respect of the petitioner. It is also submitted that the petitioner has approached the Rajasthan Civil Services Appellate Tribunal, Bench Jodhpur by filing an appeal along with a stay application. The said stay application has been dismissed vide order dated 10.04.2026, with findings that may materially affect the main appeal of the petitioner. Learned counsel for the petitioner submits that the fundamental issue raised by the petitioner that the petitioner has been transferred under the garb of a work arrangement, which is not in accordance with the statutory rules, has not been properly examined by the Tribunal. It is further submitted that the petitioner has a prima facie case in his favour.

Matter requires consideration.

Issue notices to the respondents, returnable within four weeks.

In the meanwhile, and until further orders, the transfer order dated 27.03.2026 shall remain stayed, and the petitioner shall be permitted to continue his working at the same place where he was posted prior to the issuance of the impugned transfer order.

(ANAND SHARMA),J

4-Taruna/-