

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

S.B. Civil Writ Petition No. 9183/2026

Lanka Parmar D/o Late Shri Kanti Lal Parmar, Aged About 29 Years, Resident Of Itwa, Post Saresa, Tehsil Khairwara, District Udaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Public Health And Engineering Department, Secretariat, Jaipur (Rajasthan).
2. The Chief Engineer (Administration), Public Health And Engineering Department, Jaipur (Rajasthan).
3. The Assistant Engineer, Public Health And Engineering Department Kherwara, District Udaipur (Rajasthan).

-----Respondents

For Petitioner(s)	:	Mr. Moti Singh Mr. Siddharth Mewara
For Respondent(s)	:	Mr. Mayank Vyas for Mr. P.S. Chundawat, AGC

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

08/05/2026

By way of filing the present writ petition under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:-

- i. By an appropriate writ, order or direction, the order dated 13.04.2026 (Annexure-9) passed by the respondents may kindly be declared illegal and be quashed and set aside.*
- ii. By an appropriate writ, order or direction, the respondents may kindly be directed to continue the petitioner at her present place of posting i.e. Junior Engineer, Kherwara, District Udaipur.*
- iii. Any other appropriate writ, order or direction which this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner.*

iv. Costs of the writ petition may kindly be awarded to the petitioner."

2. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the petitioner, being aggrieved by the transfer order dated 15.01.2025 issued by the respondent department whereby she was transferred from Sub Division, Kherwara, District Udaipur to Sub Division, Aaspur, District Dungarpur, had preferred S.B. Civil Writ Petition No. 1875/2025, titled "Lanka Parmar vs. State of Rajasthan", before this Court. In the said writ petition, it was contended that the petitioner is an unmarried woman having the sole responsibility of taking care of her bedridden father, who is suffering from paralysis.

3. This Court, after hearing learned counsel for the parties, vide order dated 27.01.2025, disposed of the writ petition with a direction to the petitioner to submit a representation ventilating her grievances before the competent authority of the respondent department. The competent authority was, in turn, directed to consider and decide the representation of the petitioner against her transfer from Sub Division, Kherwara, District Udaipur to Sub Division, Aaspur, District Dungarpur in an objective manner. It was further directed that, till the representation of the petitioner was decided, she shall not be relieved from Sub Division, Kherwara, District Udaipur.

4. It is the case of the petitioner that the competent authority of the respondent department, after a lapse of more than one year and three months, has now decided to relieve the petitioner for joining her duties at Sub Division, Aaspur, District Dungarpur.

5. In the opinion of this Court, the administrative exigency which

might have warranted the transfer of the petitioner from one place to another no longer survives after such a significant lapse of time, i.e., more than one year and three months. This Court, in the case of "**Dr. Girish Bhabhor vs. State of Rajasthan**", **S.B. Civil Writ Petition No. 6162/2026, decided on 05.05.2026**, has held that although transfer of a Government employee is an incident of service, such orders are required to be acted upon promptly, as a stale order fails to satisfy the test of urgency or administrative necessity warranting transfer of the employee.

6. In view of the aforesaid discussion, the present writ petition is allowed. The impugned transfer order dated 15.01.2025 is quashed and set aside qua the petitioner. The letter/communication dated 13.04.2026 issued from the office of the Assistant Engineer, PHED, Sub Division, Aaspur (District Dungarpur), is also quashed and set aside. However, the respondents shall be at liberty to pass a fresh transfer order in respect of the petitioner, if administrative reasons or exigencies still survive.

7. The stay petition and all pending applications, if any, also stand disposed of.

(KULDEEP MATHUR),J