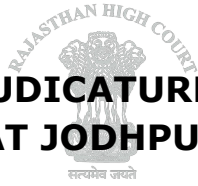


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No. 12126/2026

CNR: RJHC010513732026

URN: CW / 22006U / 2026

Shambhu Singh Sisodia S/o Shri Bhur Singh Sisodia, Aged About
39 Years, Resident Of Village Godawas, District Pali, Rajasthan.

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Secondary Education, Government Of Rajasthan, Jaipur.
2. The Director, Secondary Education Rajasthan, Bikaner.
3. The District Education Officer (Headquarter), Secondary, Education, Pali.
4. The Joint Director, School Education, Pali Division, Pali.
5. The Chief District Education Officer, Samagra Shisha, Pali

----Respondents

For Petitioner(s) : Mr. A.D. Ujjwal

For Respondent(s) : Mr. N.K. Mehta, Dy.GC

HON'BLE DR. JUSTICE NUPUR BHATI

Order

14/07/2026

1. The present writ petition has been filed by the petitioner with the following prayers:-

"A. allow the present writ petition;
B. direct the respondents to repatriate the Petitioner from Pradhan Mantri Shri Mahatma Gandhi Government School (English Medium), Ramdev Colony, Khiwandi, Block Sumerpur, District Pali to his parent department/school in accordance with law;
C. further direct the respondents to consider and decide the representation dated 09.12.2025 (Annexure-7) submitted by the Petitioner seeking repatriation to his parent department, i.e. Hindi Medium School, within a stipulated period;

D. pass any other appropriate writ, order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the present case, in favour of the Petitioner.”

2. The petitioner is a citizen and permanent resident of the State of Rajasthan and is serving as a Teacher Grade-III, Level-II (English) in the Education Department. He was deployed to Mahatma Gandhi Government School (English Medium), Koselav, Block Sumerpur, District Pali, vide order dated 01.09.2022 and joined his duties on 12.09.2022 after being relieved from Jasraj Poonamiya Government Senior Secondary School, Denda. Subsequently, vide order dated 06.12.2024, the petitioner was declared surplus at Mahatma Gandhi Government School, Koselav, and was transferred to Pradhan Mantri Shri Mahatma Gandhi Government School (English Medium), Ramdev Colony, Khiwandi, Block Sumerpur, District Pali, where he joined on 24.12.2024. The petitioner submits that, having already been declared surplus from the institution where he was initially deployed on deputation in an English Medium School, he cannot be compelled to continue on deputation indefinitely against his wishes. Accordingly, he submitted a representation dated 09.12.2025 before the District Education Officer, Pali, requesting that he be repatriated to his parent cadre, namely the Hindi Medium Schools, while also highlighting the difficulties being faced by him in continuing in the English Medium School. However, despite the submission of the said representation, the respondents have taken no action whatsoever.

3. Learned counsel for the petitioner submits that the controversy involved in the present writ petition has been squarely covered by the order dated 17.07.2025 passed by the Co-ordinate

Bench of this Court in ***Tina Kumari v. State of Rajasthan & Ors. (S.B. Civil Writ Petition No. 12808/2025)***. He submits that the only distinguishing feature between the present case and Tina Kumari (supra) is that, in the present matter, the respondents have rejected the petitioner's representation/application vide order dated 14.07.2025 (Annexure-11), observing that a public servant cannot claim, as a matter of right, posting at a place of his desired location. Learned counsel for the petitioner further submits that the petitioner is not seeking posting to a desired location; rather, he is seeking repatriation to his parent department.

4. *Per contra*, learned counsel for the respondents was unable to dispute that the controversy in the present writ petition is squarely covered by the judgment of this Court in ***Tina Kumari (Supra)***.

5. I have heard the counsel for the parties and have perused the material available on record.

6. In the factual matrix of the present case, the controversy involved is no longer *res integra* and is squarely covered by the order passed by this Court in ***Tina Kumari v. State of Rajasthan & Ors. (S.B. Civil Writ Petition No. 12808/2025)***.

The facts and issues involved therein being substantially similar to those arising in the present writ petition, this Court finds no reason to take a view different from the one already taken. The operative portion of the said order is reproduced hereunder:

"8. This Court is of the clear opinion that -

Firstly, it is not the case of the respondents that any such procedure was undertaken for extension of the services of the petitioner.

Secondly, there is no order of extension available on record.

Thirdly, no application for extension of services on deputation was ever filed by the petitioner.

Fourthly, Condition No.1 cannot be interpreted in the manner that the services of any incumbent sent on deputation can be extended unilaterally. There definitely has to be a request of the concerned employee for the purpose.

9. In view of the above analysis, the present writ petition is allowed. The respondents are directed to repatriate the services of the petitioner back to her parent department within a period of four weeks from the date of receipt of the certified copy of the present order.

10. Stay petition and pending applications, if any, stand disposed of.

7. Consequently, the present writ petition deserves to be and is hereby allowed in terms of order passed in the case of Tina Kumari (supra). The respondents are directed to repatriate the services of the petitioner to his parent Department forthwith.

8. The stay application, as well as all pending applications, if any, also stand disposed of.

(DR. NUPUR BHATI),J