

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

S.B. Civil Writ Petition No. 14634/2026

CNR: RJHC010671862026

URN: CW / 26710U / 2026

Dinesh Kumar Meena S/o Shri Keshu Lal Meena, Aged About 35 Years, Resident Of Krishanpura, Singhatwara, District Udaipur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Revenue Department, Jaipur, Rajasthan.
2. The Divisional Commissioner, Udaipur, Rajasthan.
3. The District Collector, Udaipur, Rajasthan.
4. The Tehsildar, Semari, Salumbar, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Manish Patel

For Respondent(s) : Mr. S.R. Paliwal, AGC

HON'BLE DR. JUSTICE NUPUR BHATI

Order

14/07/2026

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

“(i) By an appropriate writ, order or direction, the Order dated 10.07.2026 (Annex.-4) may kindly be quashed and set aside.

(ii) By an appropriate writ, order or direction, the Petitioner may kindly be permitted to work continue on the post of Inspector of Land Record (RI) in the office of Inspector of Land Record Semari, Tehsil Semari, District Salumbar, Rajasthan.

(iii) Any other appropriate writ, order or directions which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the Petitioner.

(i) Writ Petition filed by the Petitioner may kindly be allowed with costs”

2. The brief facts of the case are that the petitioner was initially appointed as a Patwari on 08.10.2014 by the District Collector, Udaipur. Subsequently, upon the reorganization of districts, a part of the erstwhile Udaipur district was constituted as the new District Salumbar. In recognition of his satisfactory service, the petitioner was promoted to the post of Inspector of Land Records (RI) vide order dated 15.02.2023 against a post in the Tribal Sub-Plan (TSP) Area. At the time of promotion, all promoted officers were required to exercise an option under the notification dated 12.05.2015 regarding their willingness to serve either in the TSP or Non-TSP Area, and the petitioner specifically opted to continue his service in the TSP Area. Pursuant thereto, he was posted as Inspector of Land Records, Circle Semari, vide order dated 12.05.2023 and joined his duties on the same day. However, to the petitioner's utter surprise, the respondents issued the impugned transfer order dated 10.07.2026 transferring him from Circle Semari, Tehsil Semari, District Salumbar, which is a TSP Area, to Tehsil Barapal, District Udaipur, a Non-TSP Area, without assigning any reason or specifying his exact place of posting. The impugned order itself provides that if any employee is transferred from a TSP Area to a Non-TSP Area, such transfer shall be deemed to have been automatically cancelled. It further records that the transfers mentioned therein were made on the employees' own request and, therefore, they would not be entitled to travelling allowance or joining time. The petitioner categorically submits that he never sought such a transfer and, therefore, the impugned order is factually incorrect and contrary to its own terms. The petitioner further submits that having exercised his option to serve

in the TSP Area at the time of promotion, his transfer to a Non-TSP Area is contrary to the applicable policy, the conditions of his promotion, and the settled legal position that employees appointed or promoted against TSP posts cannot ordinarily be transferred to Non-TSP Areas. The petitioner also submits that his wife is serving as a Teacher in Tehsil Semari, and the State Government's transfer policy encourages posting of spouses at the same station, wherever feasible. Despite this policy, the petitioner has been transferred to another district without any administrative justification, while no substitute has been posted in his place. According to the petitioner, the impugned transfer has been made arbitrarily and only to accommodate another politically influential person. Being aggrieved by the illegal and arbitrary transfer order, the petitioner has preferred the present writ petition seeking appropriate relief.

3. Learned counsel for the petitioner at the outset submits that the issue involved in the writ petition is squarely covered by the order dated 12.08.2025 passed in the case of Bhupesh Doda Vs. State of Rajasthan & Ors. (SBCWP No. 15339/2025), wherein a co-ordinate bench of this Court has held that a person appointed in TSP area can only be transferred within a TSP area and not outside a TSP area.

4. Learned counsel for the respondent is not in a position to refute the fact that the issue involved in the writ petition is squarely covered by the order passed in the case of Bhupesh Doda (supra). The relevant part of the order is reproduced hereunder:-

“4. From a close reading of the above rule it is clear that a person appointed in a TSP area can only be transferred within a TSP Area and not outside a TSP Area.

5. The impugned transfer order shows that the petitioner was transferred from TSP Area to Non-TSP Area. Though other grounds have been raised, this Court is not inclined to go into such grounds. There is a clear violation of Rule 31 of the Rules of 2014 and the transfer is contrary to the Rules of 2014, therefore, the impugned order is liable to be set aside on this ground at the admission stage itself.

6. In the result, the present writ petition is allowed and the impugned transfer order is set aside qua the petitioner. The respondents authorities are given liberty to pass fresh order in terms of Rule 31 of the Rules of 2014.

7. All pending applications, if any, shall stand disposed of.”

5. Thus, in view of the above submissions, the present writ petition is allowed in the same terms as in the case of Bhupesh Doda (supra).

6. All pending applications, if any, shall stand disposed of.

(DR. NUPUR BHATI),J