

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

S.B. Civil Writ Petition No. 14524/2026
CNR: RJHC010672752026 | URN: CW / 26544U / 2026

Ramesh Chand Nuwal S/o Shri Shyam Sunder, Aged About 59 Years, R/o 71 Dwarka Colony Pansal Choraha K Pass Bhilwara Raj.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary Water Resources Dept. Govt. Of Raj. Jaipur Raj.
2. Chief Engineer And Additional Secretary, Water Resources Jaipur Raj.
3. Managing Director And Chief Engineer, Rwgcl Jaipur Raj.
4. Komal Chhipa, Being Transferred As Executive Engineer And Technical Assistant Office Of Superintendent Engineer Water Resources Bhilwara Circle

----Respondents

For Petitioner(s)	:	Mr. Kunal Upadhyay
For Respondent(s)	:	--

HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

03/08/2026

1. The petitioner is going to retire on 31.11.2027, thus, made a prayer that he may be permitted to submit a representation before the respondents which may be directed to be decided expeditiously in the light of the Division Bench judgment of this Court rendered in the case of Pushpa Mehta vs. Rajasthan Civil Services Appellate Tribunal & Ors. (D.B. Civil Special Appeal No.1430/1999, decided on 16.12.1999). The relevant portion of the judgment reads as follows :-

“That unless there are compelling reasons, ordinarily, an employee should not be disturbed from the place of his/her posting, when he/she is at the verge of retirement. An employee should be given sufficient time, which maybe of two years or so to plan peacefully his/her post retirement life. This can be the legitimate expectation of an employee who has served the Department for major part of his/her life. In exceptional case, if the transfer in such case is felt necessary in the public interest, it must be kept in mind while giving the fresh posting that minimum inconvenience is caused to the concerned employee. Any transfer contrary to aforesaid principle will lead to interference that the order is malafide.”

2. In light of aforementioned submission and keeping in view the Division Bench decision in Pushpa Mehta (supra), the writ petition is disposed of with a direction to the petitioner to file a representation before the respondents within a period of one week and the respondents are directed to pass appropriate order on the representation of the petitioner within a period of fifteen days thereafter by a speaking order in the light of Division Bench decision in Pushpa Mehta (supra).

(YOGENDRA KUMAR PUROHIT),J