

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

S.B. Civil Writ Petition No. 14630/2026

CNR: RJHC010675462026

URN: CW / 26706U / 2026

Rajesh Kumar Ahari S/o Kuri Chand Ahari, Aged About 42 Years,
Resident Of Ward No. 11, Mandali Fala, Mukam Ratanpura, Post -
Khempur, Dungarpur, Rajasthan Presently Working As Senior
Teacher, Government Upper Primary School, Mungena (412376)
District Dungarpur (Raj.).

----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Secondary Education, Government Of
Rajasthan, Jaipur.
2. Joint Director (School Education), Udaipur Division,
Udaipur Rajasthan.
3. Deputy Director Of Education (Secondary), Udaipur
Division, Udaipur Rajasthan.

----Respondents

For Petitioner(s)	: Mr. Moti Singh
For Respondent(s)	: Mr. N.K. Mehta, AGC

HON'BLE DR. JUSTICE NUPUR BHATI

Order

17/07/2026

1. The instant writ petition has been filed by the petitioner with
following prayer:-

“A) By an appropriate writ, order or direction, the order
dated 07.07.2026 (Annexure-4) passed by Respondent
authority, may kindly be declared illegal, arbitrary and
beyond the jurisdiction of the Respondent authority.

B) By an appropriate writ, order or direction, the order
dated 07.07.2026 (Annexure-4) passed by Joint Director
(School Education), Division Udaipur may kindly be
quashed and set aside.

C) By an appropriate writ, order or direction, the Respondents may kindly be directed to post and continue the Petitioner at the same station where his wife is presently serving, in accordance with the Office Memorandum dated 30.09.2009 and the spouse-posting policy adopted by the Government of Rajasthan.

D) Pass any other order or direction which this Hon'ble Court may deem just, proper, and expedient in the facts and circumstances of the case in favor of the humble Petitioner.”

2. Learned counsel for the petitioner while placing reliance upon order dated 27.02.2025 passed by the Division Bench of this Court at Principal Seat, Jodhpur in ***D.B. Spl. Appl. Writ No.332/2025 : Pradeep Kumar Vs. State of Rajasthan and Ors.*** submits that the present petitioner is transferred from Government Upper Primary School, Mungena, District Dungarpur to PM Shri Government Senior Secondary School, Samagada, District Dungarpur. He also submits that it is duty of the respondents that the petitioner be transferred to the same place where her wife is working, who is also a Government servant.

3. Aforesaid contentions were opposed by learned AGC appearing on behalf of the respondents and he submits that due to administrative exigency the transfer has been effected but considering the grievance as raised by the petitioner, the petitioner is free to make a representation to the Department, which will consider the representation on the grounds raised by the petitioner and this petition can be disposed at this stage.

4. Heard learned counsel for the parties.

5. Considered the grievance raised herein, the petitioner is given a liberty to submit a representation to the respondents-Authority within a period of one week from today raising all grounds and the respondents-Authority are directed to decide the

representation with a reasoned and speaking order within a period of 30 days from date of receipt of representation. After the order, the respondents are under an obligation to communicate the decision to the petitioner either by way of speed post or through E-mail, if petitioner has provided E-mail in his representation. If the petitioner is still aggrieved, he has a liberty to approach this Court with fresh petition.

6. In the meanwhile, impugned order dated 07.07.2026 (Annex.4) qua the present petitioner shall remain stayed till disposal of the representation, by the respondents.

7. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

8. It is made clear that in case the petitioner does not file representation within a period of one week from today, the interim order granted by this Court shall vacate automatically.

(DR.NUPUR BHATI),J