



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

S.B. Civil Writ Petition No. 18381/2024

Dalip Kumar S/o Banwari Lal, Aged About 55 Years, Ward No-13,
Near Teacher Colony, Tehsil Sadul Shahr, District Sri
Ganganagar

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Revenue
Department, Government Of Rajasthan, Secretariat,
Jaipur.
2. Registrar, Board Of Revenue, Ajmer.
3. District Collector, Hanumangarh.
4. Surendra Kumar Pandey, At Present Posted As Nayab
Tehsildar, Dhawa (Dhanba), District Hanumangarh

----Respondents

For Petitioner(s) : Mr. R.C. Joshi.

For Respondent(s) : Mr. S.S. Ladrecha, AAG.

HON'BLE MR. JUSTICE ARUN MONGA

Order

27/03/2025

1. Petitioner, serving as Patwari, seeks quashing of transfer order dated 28.10.2024, vide which petitioner was transferred from Sriganganagar to Hanumangarh (62 kms away).
2. Vide an order dated 11.11.2024 interim relief was granted to the petitioner by staying the operation of the impugned transfer order.
3. The stay order so granted continues to subsist in favour of the petitioner till date. Resultantly, his grievance caused by the then circumstances stood mitigated and continues to be posted at the same location. It is not clear from the record as to how long prior to passing of the impugned transfer order he had been at the same location.
4. Transfers/work arrangement/posting/deputation (unless it is a selection post) are a standard and integral aspect of government employment conditions. Employees do not possess an inherent right to demand continuation of their service at a specific location. Personal inconvenience of a government servant must give way to



larger public interest and administrative exigency. The same cannot be given precedence over the work requirement.

5. In the instant case, given the sheer duration of the interim protection granted by this Court, its utility appears to have waned over time.

6. Be that as it may, the interim order dated 11.11.2024 is made absolute, but with liberty to the respondents to pass fresh order in future, if necessary due to any administrative exigency.

7. Learned counsel appearing for the respondents submit that passing of the fresh order would require a prior sanction from the competent authority in view of the ban imposed on transfers by the Government vide Chief Secretary's order dated 04.01.2023, which was subsequently clarified vide an administrative circular/order dated 03.01.2024.

8. In the premise, in order to obviate any procedural or administrative hurdle, it is made clear that since the liberty has been granted by way of issuance of writ of this Court, in the nature of mandamus, thus fresh decision, if warranted, qua the petitioner shall be construed to be in continuation of his earlier transfer order impugned herein. No further prior sanction would be required in terms of the order dated 04.01.2023 *ibid*.

9. However, in the parting, it is made clear that granting liberty to pass fresh order is not to be construed as a direction of this Court to necessarily do the same even if there is no such requirement otherwise.

10. Disposed of as above.

11. All pending application (s), if any, shall also stand disposed of.

(ARUN MONGA),J