

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No.7875/2026

Syed Shahid Ali S/o Syed Mahmood Ali, aged about 59 years 10 months, resident of C-19, Subhash Colony, Shastri Nagar, Jaipur (Raj.)

-----Petitioner

Versus

1. State of Rajasthan through the Principal Secretary, School Education Department, Government Secretariat, Jaipur.
2. The Director, Secondary Education, Rajasthan, Bikaner.
3. District Education Officer, Jaipur.
4. Principal, GSSS, Dwarikapuri, Shastri Nagar, Jaipur.

-----Respondents

For Petitioner(s) : Mr. Tanveer Ahamad

HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/05/2026

1. Learned counsel for the petitioner submits that the petitioner is holding the post of Lecturer (Mathematics), whose retirement, on attaining age of superannuation is due on 30.06.2026, however, ignoring the said fact that, in quite arbitrary manner, the petitioner was transferred vide order dated 10.01.2026. Petitioner challenged the same by way of filing Appeal No.106/2026 before the Rajasthan Civil Service Appellate Tribunal, Jaipur, (for short, 'the Tribunal') and also relied upon different judgments of this Court before the Tribunal, however, instead of interfering on merits, learned Tribunal directed the petitioner to submit a representation, which was to be decided by the respondents.

2. Learned counsel for the petitioner also submits that in compliance of order dated 30.01.2026, the petitioner submitted a representation on 05.02.2026, yet till date, it has not been decided. In the meanwhile, the petitioner has joined at the transferred place on 31.01.2026.

3. Learned counsel for the petitioner relies upon the judgment of Division Bench of this Court in the case of ***Pushpa Mehta Vs. Rajasthan Civil Services Appellate Tribunal & Ors.*** reported in ***RLW 2000 (1) Raj 233*** in support of his contention that even the Division Bench has directed that ordinarily, an employee should not be transferred two years before his date of retirement.

4. Learned counsel for the petitioner further submits that in the instant case, there are no extra ordinary circumstances, which could have prompted the respondents to transfer the petitioner within six months of his date of retirement.

5. Heard learned counsel for the petitioner and perused the record.

6. In view of the fact that the petitioner has complied with the transfer order and the representation filed by him against the transfer order in compliance of order passed by learned Tribunal is still pending and has not been decided by the respondents, this Court deems it just and proper to dispose of the present writ petition by directing the respondent No.2 to decide the representation filed by the petitioner, in the light of judgment of ***Pushpa Mehta (supra)***, by passing a reasoned and speaking order within a period of 10 days from the date of receipt of certified copy of this order.

7. Accordingly, the present petition stands disposed of.
8. Pending application(s), if any, also stand(s) disposed of.

(ANAND SHARMA),J

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