

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 13020/2025

Dr. Jitendra Kumar Meena

-----Petitioner

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Tanveer Ahamad

HON'BLE MR. JUSTICE ANAND SHARMA

Order

28/08/2025

Learned counsel appearing for the petitioner submits that the petitioner was holding the post of Assistant Professor (Dermatology) and Senior Specialist at Govt. Medical College, Karauli, Rajasthan. One notification dated 14.02.2022 was issued by the Government of India and published in *Official Gazette*, which provides for norms for determination of teaching designation for Consultant/Specialist employed by Central Government or State Government or other bodies establishing a medical college/starting a post-graduation course and Para No.8.1 of the aforesaid notification specifies that a non-teaching Consultant or Specialist possessing postgraduate medical degree and working at least for two years in the concerned specialty in the minimum 330 bedded non-teaching Government Hospital shall be eligible to be designated as Assistant Professor and be absorbed permanently, if that Hospital is being converted into a Government Medical College for imparting under graduate medical education. It was further provided that this would only be a one

time provision and so absorbed teacher should not be transferred from that Institution for five years.

Learned counsel for the petitioner further submits that pursuant to aforesaid notification dated 14.02.2022, one order dated 28.08.2024 was passed by the Principal and Controller of Government Medical Hospital, Karauli, whereby the petitioner was absorbed as Assistant Professor (Dermatology). However, in ignorance of aforesaid notification dated 14.02.2022 as well as the fact that the petitioner was absorbed/designated as Assistant Professor hardly one year back, the petitioner was transferred from Government Medical College, Karauli to Government District Hospital Lohawat, Falaudi vide order dated 15.01.2025.

Learned counsel for the petitioner submits that feeling aggrieved by the aforesaid order, the petitioner filed appeal before the Rajasthan Civil Services Appellate Tribunal bearing No.937/2025, which was disposed of vide order dated 12.02.2025 directing the petitioner to make a representation in respect of the aforesaid transfer order and operation of transfer order was stayed till the decision over the representation.

Learned counsel for the petitioner further adds that the representation submitted by the petitioner was dismissed by the Joint Secretary, Medical and Health (Group-II) Department vide order dated 23.05.2025 which is a cryptic order and the facts mentioned in the representation were not at all considered and the representation was rejected in one line.

Learned counsel for the petitioner also submits that again petitioner approached learned Tribunal by way of filing Appeal No.2968/2025, which has been rejected without properly

considering the effect of the aforesaid notification as well as the vagueness of the order deciding the representation.

Learned counsel for the petitioner further submits that in the similar circumstances by considering the aforesaid notification, Co-ordinate Bench of this Court at Jodhpur in **S.B. Civil Writ Petition No.12901/2025 (Dr. Nihal Singh Meena Vs. State of Rajasthan & Ors.)** has issued notices and in the meanwhile stay has also been granted against such transfer orders.

Matter requires consideration.

Issue notices to the respondents, the same be given by "Dasti" mode also, returnable by four weeks.

In the meanwhile and till further orders effect and operation of order dated 15.01.2025, qua petitioner, shall remain stayed and the petitioner shall be allowed to continue at the place where he has working prior to transfer order dated 15.01.2025.

(ANAND SHARMA),J