HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 7798/2022

Prabhat Chandel S/o Shri Bhagwat Mal Chandel, Aged About 25 Years, Khatik Vas, Pindwara, District Sirohi, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur (Raj.).
2. The Director, Local Self Government, Rajasthan, Jaipur (Raj.).
3. The Deputy Director (Administration), Local Self Government, Rajasthan, Jaipur (Raj.).
4. The Executive Officer, Municipal Board, Pindwara, District Sirohi, Rajasthan.

----Respondents

For Petitioner(s) : Mr. DS Sodha.
For Respondent(s) :

HON'BLE MR. JUSTICE ARUN MONGA

Order

05/02/2024

1. Grievance of the petitioner stems from an impugned transfer order dated 18.05.2022 (Annex.3 & 4) vide which he was transferred from Pindwara to Dholpur and relieved respectively. However, during the pendency of writ proceedings, a co-ordinate bench of this court passed an interim order dated 29.06.2022 staying the implementation of the transfer order.

2. Aforesaid stay order continues to subsist in favor of the petitioner till date.

3. Transfers 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.

4. This court ordinarily refrains from intervening in transfer matters, acknowledging administrative needs for employees to fulfill their duties at assigned locations.

5. In the instant case, given the 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 is made absolute, but with liberty to the respondents to pass fresh orders in future, if necessary due to administrative exigency.

7. In the parting, it is made clear that granting liberty to pass fresh orders is not to be construed as a direction of this Court to necessarily pass fresh orders in case there is no such requirement otherwise.

8. Disposed of as above.

(ARUN MONGA), J

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