HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 19281/2022

Madan Lal Meena S/o Shri Ram Prasad Meena, Aged About 42 Years, R/o Ward No. 11, Village Umarada, District Pratapgarh, Khairan Singh Mata.

----Petitioner

Versus

1. State Of Rajasthan, Through Deputy Secretary, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Secretariat, Jaipur.
2. Zila Parishad, Through Ceo Pratapgarh.
3. Panchayat Samiti Dhamotar, Through Bdo, Pratapgarh.
4. Gram Panchayat Saripipli, Through Gram Vikas Adhikari Panchayat Samiti Dhamotar, Pratapgarh.

----Respondents

For Petitioner(s) : Mr. Vikash Choudhary
For Respondent(s) : Mr. Rajdeep Singh

HON'BLE MR. JUSTICE ARUN MONGA

Order

07/05/2024

1. Grievance of the petitioner stems from an impugned transfer order dated 07.11.2022 (Annex.7), vide which the petitioner was transferred from Gram Panchayat Saripipli, Panchayat Samiti Dhamotar, Pratapgarh to Gram Panchayat Pipliya, Panchayat Samiti Dhariyavad, Pratapgarh. However, during the pendency of writ proceedings, a co-ordinate bench of this court passed an interim order dated 20.01.2023 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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