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

S.B. Civil Writ Petition No. 2499/2025

Arjunram Jat S/o Shri Bodu Ram Jat, Aged About 56 Years, Ward No 1 Nimbi Jodhan District Nagaur (Raj.)

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Rural Development And Panchayati Raj. Secretariat Rajasthan, Jaipur
2. The Additional Commssioner Cum Joint Secretary-I, Department Of Rural Development And Panchayati Raj Secretariat Rajasthan, Jaipur
3. The Chief Executive Officer, Zila Parishad Nagaur
4. The Vikas Adhikari, Panchauyat Samiti Ladnoo District Deedwana Kucjhaman

----Respondents

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| For Petitioner(s) | : | Mr. Jayram Saran. |
| For Respondent(s) | : | Mr. I.R. Choudhary, AAG.<br>Mr. Kuldeep Solanki. |

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**HON'BLE DR. JUSTICE NUPUR BHATI**

**Order**

**30/01/2025**

1. Learned counsel for the petitioner submits that the issue involved in the present writ petition is squarely covered by the judgment/order dated 23.01.2025 passed in SBCWP No.1311/2025, wherein, the transfer order has been quashed and set aside.

2. Relevant portion of the judgment/order passed on 23.01.2025 is reproduced as under:-

> *"5. In the premise, writ petitions as numbered above are allowed. The respective impugned transfer orders qua the petitioners are set aside.*
> *6. However, liberty is granted to pass fresh orders by specifying the name of the Gram Panchayat where the incum-*

*bents are supposed to join after transfer in case, work exigency so warrants, in accordance with Section 89 of the Rajasthan Panchayati Raj Act,1994 read with the judgment rendered in Kera Ramibid.*

*7.At this stage, Mr. I.R. Choudhary, learned Additional Advocate General submits that passing of the fresh orders requires prior sanction from the competent authority in view of the ban imposed by the Chief Secretary vide an administrative order dated 03.01.2024. In view thereof, in order to obviate any procedural hurdle, it is made clear that since the transfer orders are being quashed vide mandamus of this Court, thus taking fresh administrative decision qua the petitioners shall be construed to be in continuation of the earlier transfer order. No prior sanction would thus be required in terms of the circular dated 03.01.2024 issued by the Chief Secretary.*

*8.Pending applications, if any, stand disposed of."*

3. Learned counsel for the respondents is not in a position to refute the same.

4. Accordingly, the writ petition is allowed and the impugned transfer order dated 15.01.2025 (Annex.P/3) is quashed and set aside qua the petitioner with liberty to pass fresh orders.

5. Stay petition and all pending applications, if any, stand disposed of.

**(DR.NUPUR BHATI),J**

181-pradeep/-