HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No.21278/2026
CNR: RJHC021007942026 | URN: CW / 44671U / 2026

Mahesh Chandra Sharma S/o Shri Radheyshyam Sharma, Aged About 59 Years, R/o Village Goth, Post Morpa, Tehsil Bamanwas, District Swaimadhopur, Rajasthan. (Belt No.1881)

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Home Department, Govt. Secretariat, Jaipur
2. The Director General, Directorate Of Prisons, Rajasthan, Jaipur.
3. The Inspector General, Directorate General Of Prisons, Rajasthan, Jaipur.

----Respondents

For Petitioner(s) : Mr. Jagmohan Bhardwaj

JUSTICE ANOOP KUMAR DHAND

Order

26/10/2026

1. The instant writ petition has been preferred by the petitioner against the impugned transfer order dated 10.07.2026 passed by the respondents, whereby he has been transferred from District Jail, Sawai Madhopur to Sub-Jail, Bandikui Dausa.

2. According to the provisions contained under Rule 4 of the Rajasthan Civil Services (Service Matters Appellate Tribunal) Rules, 1976, such orders are appellable before the Rajasthan Civil Services Appellate Tribunal (for short, ‘the Tribunal’) but without availing the alternative statutory remedy of filing an appeal before the Tribunal, the petitioner has straightaway approached this Court by way of filing the instant writ petition.

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3. It is settled proposition of law that whenever alternative efficacious statutory remedy is available to a person, he cannot be allowed to bypass the jurisdiction of the said Authority.

4. In view of the above, the instant writ petition stands disposed of, granting liberty to the petitioner to file an appeal before the Tribunal.

5. In case, any appeal is submitted by the petitioner before the Tribunal within a period of one week from the date of receipt of certified copy of this order, the Tribunal is expected to hear and decide the same on its merits, expeditiously as early as possible, ignoring the period of limitation and after affording opportunity of hearing to all the respective parties.

6. Stay application and all applications (pending, if any) also stand disposed of.

7. Office is directed to list all the identical writ petitions on 03.11.2026, wherein the writ petitions have been submitted by the petitioners straightaway challenging therein transfer orders without availing the alternative statutory remedy of filing appeal before the Tribunal.

(ANOOP KUMAR DHAND),J

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