**HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 18450/2025
CNR: RJHC021043192025 | URN: CW / 41670U / 2025

Ms Vishakha Gupta Wife Of Shri Dilip Sinsinwar, Aged About 44 Years, R/o J-904, Unique Towers, Sector-26, Pratap Nagar, Jaipur.

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of School Education, State Secretariat, Jaipur.
2. Director, Secondary Education, Bikaner (Raj.)

----Respondents

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| For Petitioner(s) | : | Mr. Sunil Samdaria |
| For Respondent(s) | : | Ms. Namita Parihar, Dy.GC<br>Mr. Pravan Sharma for<br>Mr. Mohit Khandelwal |

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**JUSTICE ANOOP KUMAR DHAND**

**Order**

**26/10/2026**

1. The instant writ petition has been preferred against the order dated 14.11.2025, passed by the Rajasthan Civil Services Appellate Tribunal, Jaipur (for short, 'the Tribunal'), by which the appeal submitted by the petitioner against her transfer order dated 22.09.2025 has been rejected.

2. By passing the order dated 22.09.2025, the petitioner has been transferred from Phagi, Jaipur to Mewat, Deeg. Counsel submits that the mother-in-law of the petitioner is suffering from Parkinson's disease and she has been transferred to a remote place at a distance of 300 Kilometers from her present place of posting. Counsel submits that the petitioner being care giver of

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her mother-in-law is not in a position to manage the family affairs and illness of her mother-in-law from the place of transfer. Hence, under these circumstances, the petitioner approached the Tribunal. The Tribunal instead of deciding the appeal on its merits, has disposed of the said appeal by granting liberty to the petitioner to file representation.

3. *Per contra,* learned counsel appearing on behalf of the respondents opposed the arguments raised by counsel for the petitioner and submitted that on account of administrative exigency, the petitioner has been transferred from Jaipur to Deeg and no mala fides are there in the transfer order. Hence, under these circumstances, interference of this Court is not warranted and the instant writ petition is liable to be rejected.

4. Heard and considered the submissions made at the Bar and perused the material available on the record.

5. It is settled proposition of law that transfer is an incident of service. The Government or the competent authority can transfer its employees anywhere on account of administrative exigency.

6. A liberty has already been granted to the petitioner to file a representation before the respondents for redressal of her grievances, however, instead of filing a representation, the petitioner has approached this Court by way of filing the instant writ petition.

7. Instead of interfering with the order impugned passed by the respondents and the Tribunal, this Court is of the considered opinion that the petitioner is supposed to approach the authority concerned for redressal of her grievances by way of filing appropriate representation in terms of the order passed by the

Tribunal. The petitioner is directed to file a representation within a period of one week from today.

8. In case, such representation is submitted by the petitioner before the respondents within the above stipulated time, it is expected from the respondents to decide the same expeditiously as early as possible, preferably within a period of three weeks thereafter.

9. For a period of four weeks, interim order passed by this Court shall remain in currency.

10. The respondents may consider the representation of the petitioner sympathetically and post the petitioner at a nearby place wherever the posts are lying vacant.

(ANOOP KUMAR DHAND),J

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