HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 22106/2026
CNR: RJHC021058302026 | URN: CW / 46537U / 2026

Lokesh Kumar Gupta Son Of Shri Ramavtar Gupta, Aged About 53 Years, Resident Of C-206, Nirman Nagar, Kings Road, Opposite Shyam Nagar Thana, Jaipur 302019, Rajasthan. Presently Working As Principal General Manager (CM-OP), BSNL, Jaipur. (Group 'A' Service)

----Petitioner/Applicant

Versus

1. Union Of India, Through Its Secretary, Ministry Of Communication And I.T., Department Of Telecommunication, 20, Ashoka Road, Sanchar Bhawan, New Delhi- Pin 110001.
2. Bharat Sanchar Nigam Limited, Through Its Chairman And Managing Director Harish Chandra Mathur Lane, Janpath, New Delhi-110023.
3. Robert J Ravi, Chairman And Managing Director Harish Chandra Mathur Lane, Janpath, New Delhi-110023.
4. Under Secretary To The Government Of India, Ministry Of Communication And I.T., Department Of Telecommunication, Sanchar Bhawan, 20, Ashoka Road, New Delhi- 110001.

----Respondents

For Petitioner(s)	:	Mr. Virendra Lodha, Sr. Adv. assisted by Mr. Amit Mathur Ms. Sanskriti Gautam
For Respondent(s)	:	Mr. Neeraj Batra, GC Mr. V.P. Mathur

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE SAMEER JAIN

Order

04/11/2026

1. The present petition has been filed against the order dated 19.10.2026 passed by the learned Central Administrative Tribunal,

Jaipur Bench, Jaipur in Original Application No. 839/2026 whereby the application of the petitioner-applicant was dismissed.

2. Learned counsel for the petitioner has contended that the impugned order was passed in the second round of litigation, as in the first round of litigation the application of the appellant herein, was disposed with a direction that his representation may be considered. However, no satisfactory reply was received by the petitioner, pursuant to the said representation. It is submitted that along with the impugned transfer order, the petitioner is posted on a post which is lower in cadre, qua the petitioner, thus amounting to demotion along with transfer, and the same is unlawful.

3. Heard and considered the submissions advanced by the learned counsel for the parties, and perused the material available on record.

4. At the outset, it is noteworthy that the petitioner has an assumption that the petitioner is Principal General Manager, as per the approval of the Hon’ble Minister for communications in meeting chaired by him on 09.04.2026; however, the policy regarding posting of senior executives above GM level on the basis of panels recommended by the HR Management Committee is directed towards fostering development of BSNL’s internal Cadre. Thus, from the arrangement it is deciphered that the petitioner is not promoted, but was granted non-functional upgradation. Thus, plea of demotion is untenable. Nevertheless, the petitioner works for BSNL which a Nigam having offices PAN India, thus, the petitioner is transferred from Jaipur to Behrampur Odissa, as an incidence of service.

5. Upon a perusal of the material available on record, it is noted that only on account of administrative exigency, the petitioner is transferred. It is a settled position of law that transfer is an incidence of service and judicial interference in such matters is limited to cases involving malafides, violation of statutory provisions, or other recognized grounds, as enumerated in the ratio encapsulated in **Shilpi Bose (Mrs.) and Ors. vs. State of Bihar and Ors**. reported in **1991 Supp. (2) SCC 659, Varadha Rao vs. State of Karnataka and Ors** reported in **(1986) 4 SCC 131, Rajendra Roy vs. Union of India and Anr.** reported in **(1993) 1 SCC 148, National Hydroelectric Power Corporation Ltd. vs. Shri Bhagwan** reported in **(2001) 8 SCC 574** and **S.K. Nausad Rahaman vs. Union of India and Ors**. reported in **(2022) 12 SCC 1**.

6. Consecutively, the present petition stands dismissed. No interference is made in the order dated 19.10.2026 passed by the learned Central Administrative Tribunal, Jaipur Bench, Jaipur. Pending applications, if any, shall stand disposed.

(SAMEER JAIN),J (SANJAY K. AGRAWAL),CJ

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