HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17870/2026
CNR: RJHC020868652026 | URN: CW / 37258U / 2026

Roshan Bharti, S/o Shri Yasmin Bharti, Aged About 59 Years, R/o 4 A 11, Atwal Nagar, Police Line, Kota, Presently Working On The Post Of Principal In Government Arts College, Kota

----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary, Heigher Education Department, Government Of Rajasthan, Secretariat, Jaipur
2. Deputy Secretary, Heigher Education (Group-3) Department, Jaipur
3. Commissioner College Education, Rajasthan, Jaipur
4. Smt Sumitra Meena, Principal, Government Pg College, Gangapur City District Sawai Madhopur

----Respondents

For Petitioner(s)	:	Mr. Vinod Kumar Singhal Mr. Vijay Pathak
For Respondent(s)	:	

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

08/09/2026

1. Learned counsel for the petitioner states that before filing of this writ petition, the petitioner has preferred an appeal bearing No.3513/2026 before the Rajasthan Civil Services Appellate Tribunal (for short, 'the Tribunal') on 13.08.2026 to challenge the impugned transfer order dated 10.07.2026. The learned counsel further submits that even after passing of about one month, the first hearing of the appeal could not take place so far.

2. The Rajasthan Civil Services (Service Matters Appellate Tribunals) Act, 1976 (for short, 'the Act of 1976') provides for a remedy of appeal to a Government servant in case of being aggrieved by any decision or order passed by the authorities.

3. The object behind the establishment of the Service Tribunal and the remedy of appeal is for efficacious consideration and adjudication of the grievances of a Government servant.

4. The petitioner is said to have preferred the appeal on 13.08.2026 challenging the transfer order dated 10.07.2026. The transfer matters are of very urgent nature and if such matters are not given even first hearing for such a long period, then the whole purpose of providing the efficacious alternative remedy is frustrated.

5. Considering the fact that the petitioner preferred the appeal on 13.08.2026 and even the first hearing of the appeal could not take place so far and so as to meet the ends of justice, this Court deems just and proper to direct the Tribunal to have first hearing of the appeal preferred by the petitioner at the earliest.

6. Keeping in view the above facts and circumstances of the case, the Court also deems just and proper to stay the effect and operation of the impugned transfer order dated 10.07.2026 qua the present petitioner till he is allowed first hearing in the appeal by the Tribunal and the petitioner be allowed to continue at the place where he was posted prior to passing of the impugned transfer order.

7. However, it is made clear that this order to the extent of interim relief shall be effective only in case the post is lying

vacant and no other person has joined at the place from where the petitioner has been transferred.

8. Accordingly, the present writ petition stands disposed of.

9. The stay application and pending application/s, if any, also stand/s disposed of.

(GANESH RAM MEENA),J

48/ARTI SHARMA