
(2011) 04 RAJ CK 0053

In the Rajasthan High Court

Case No : Civil Writ Petition No. 3316 of 2011

Kailash kumar

APPELLANT

Vs

The State of Rajasthan and Others

RESPONDENT

Date of Decision : 19-04-2011

Acts Referred:

Citation : (2011) 04 RAJ CK 0053

Hon'ble Judges : Gopal Krishan Vyas, J

Bench : Single Bench

Judgement

Gopal Krishan Vyas, J.—In this case, earlier an appeal was preferred by the Petitioner before the Rajasthan Civil Services Appellate Tribunal against the order of transfer dated 30th September, 2010, in which, vide order dated 22nd October, 2010 an opportunity was granted to the Petitioner to file representation to the Respondents and Respondents were directed to decide the same within the stipulated time.

2. Learned Counsel for the Petitioner submits that after passing order dated 22nd October, 2010 in the appeal bearing No. 529/2010 by the Tribunal, a detailed representation was filed by the Petitioner before the Respondent No. 3. Upon filing the said representation, the Additional Chief Executive Officer-cum-District Education Officer (Elementary Education), Bikaner passed an order on 29th March, 2011.

3. Looking to the facts and circumstances of the case, I am of the opinion that this is fresh cause of action because the impugned order has been passed in pursuance of the order passed by the Tribunal.

4. This writ petition is, therefore, disposed of with liberty to the Petitioner to seek remedy available under the law before the Rajasthan Civil Services Appellate Tribunal, Jaipur/Jodhpur. It is expected from the tribunal to decide the appeal, if any, filed by the Petitioner on merit.