
(2026) 02 RAJ CK 1730

In the Rajasthan High Court, Jaipur Bench

Case No : Special Appeal (Writ) No. 1358 Of 2025

Neeraj Sharma

APPELLANT

Vs

State Bank of India

RESPONDENT

Date of Decision : 10-02-2026

Acts Referred:

Citation : (2026) 02 RAJ CK 1730

Hon'ble Judges : Sanjeev Prakash Sharma, ACJ; Sangeeta Sharma, J

Bench : Division Bench

Advocate : Manoj Kumar Bhardwaj, Avinash Pathak, Laxmi Nivas Koli, Tanmay Sharma, Kamalakar Sharma, Yash Sharma

Final Decision : Disposed Of

Judgement

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Sangeeta Sharma, J

1. We have heard learned counsel for the parties at length.
2. The appellant challenged his transfer order before the learned Single Judge in Civil Writ Petition. Vide the impugned order dated 13.10.2025, the interim order passed was vacated, resulting in the present appeal.
3. Learned counsel for the appellant has submitted that appellant has been transferred out of Jaipur Circle and posted at Hyderabad. During the pendency of the writ petition, another person was adjusted at Chandigarh namely; Mukesh Meena. He submits that the appellant is suffering from Acute Right Posterior Parietal Infarct and Cerebral Artery Territory Infarct, which occurred on 23.09.2021, and thereafter again suffered another brain stroke on 03.12.2021. The movement of the appellant has been substantially restricted and he is dependent on his family members for regular supervision and for carrying out his daily activity of life.
4. This Court vide order dated 21.08.2025 had stayed the effect and operation of

the transfer order dated 25.07.2025 and the relieving order dated 06.08.2025 but the same was vacated by the learned Single Judge on 13.10.2025.

5. In the present appeal, we had restrained the respondents from taking any coercive steps against the appellant and had directed the State Bank of India to file an affidavit for the available places around Jaipur Circle for the purpose of posting of the appellant. However, we find that the State Bank of India has submitted that there is no post available for posting the appellant in and around Jaipur Circle. On 04.02.2026, we noticed that on 21.01.2026, an order has been passed by the Bank posting one Officer Sunil Kumar to Jaipur Network-I from Bikaner.

6. It has been submitted that by Circular dated 02.05.2023, the recategorization and redeployment of Official Language Officers have been done in the Bank. Each circle would have one Local Head Office and three networks and for each of them there would be one Official Language Officer at the Local Head Office, the posting would be of Scale IV/V Officers who would be heading the team of Network Official Language Officers, while at three networks, there would be one Officer who may be of Scale- I/Scale-II/Scale-III, who would be responsible for OL implementation at the AOs. It has also been notified that in Circles with 07 or more Administrative Offices namely; Bengaluru, Chandigarh, Maharashtra, New Delhi and Patna, subject to availability may be given a complement of one additional OLO.

7. As per Para 3, additional OLOs have also been posted in other Circles falling under linguistic region namely; Amaravati, Bengaluru, Bhubaneswar, Chennai, Guwahati, Hyderabad, Kolkata and Thiruvananthapuram. It would be apposite therefore to quote Para 3 for the purpose:

"3. It is apparent that categorisation of the positions of OLOs would result into a surplus number of officers in the cadre. Further, as Circles falling under linguistic region- 'B' (viz., Ahmedabad, Chandigarh, Maharashtra and Mumbai Metro) and region- 'C' (viz., Amaravati, Bengaluru, Bhubaneswar, Chennai, Guwahati, Hyderabad, Kolkata and Thiruvananthapuram) have a large number of staff to be trained in Hindi, the competent authority has approved posting of one additional OLO in these circles. However, this would be an interim and purely one time measure. These officers will be withdrawn and posted against positions of OLOs falling vacant due to retirement or otherwise."

8. It is also noticed that even in New Delhi Circle, an Additional Officer in Scale IV and V has been allowed to be posted. We, therefore, find that the Circular dated 02.05.2023 does not mandate that there should be only one OLO posted in that Networks and for various needs even more than one OLO can be posted in various Circles as mentioned therein.

9. We have noticed that a Certificate has been issued on 22.07.2025 regarding the medical condition of the appellant. We had also directed to examine his medical condition by the SMS Board, which has given following report, which

reflects that he has suffered Visual Impairments on account of his illness of Ischemic Stroke. The medical report is being quoted as under :

This patient Mr Neeraj Sharma, 33 years old male is a known case of ischemic stroke involving left more than right occipital lobes (APS profile positive, Sm-RNP, Ro 52 positive).

He complains of vision impairment mainly of right half of vision and paresthesias involving left upper and lower limbs.

We the member of the medical board constituted for this patient have gone through the medical records and examined the patient with recent investigations. We have found that this patient is suffering from because of his illness. He is able to walk independently and able to carry out daily activities of living but with difficulties due to his visual impairments.

10. The Hon'ble Apex Court in the case of "Dinesh Kumar Gupta vs. High Court of Judicature for Rajasthan At Jodhpur & Anr." (Writ Petition(s) (Civil) No(s).1264/2025) in Para Nos.3, 4 and 5 has held as under :

"3. Specifically, the petitioner appears to have some concern regarding his posting as a District and Sessions Judge, Jalore. It is averred that (i) the petitioner is left with 10 months of service prior to attaining the age of superannuation; (ii) he has serious health issues, for which he requires constant treatment at Jaipur; and (iii) the petitioner's wife is working as a teacher in the Education Department, and she too will retire on superannuation after a short span.

4. In such circumstances, the petitioner wants to remain posted near and around Jaipur, on a post which is commensurate with the rank he substantively holding at present. For this purpose, the petitioner has already submitted a comprehensive representation on 03.12.2025, a copy whereof has been appended with the instant petition.

5. Consequently, we dispose of this Writ Petition with a request to the Acting Chief Justice of the Rajasthan High Court to consider the said representation sympathetically and take an appropriate decision in consultation with the Committee of Judges constituted for such like administrative matters."

11. While in normal course, this Court would have been very slow in interfering with transfer orders, however, for postings and transfers the administrative side ought to take into consideration the medical condition of an employee. State functions as a welfare state and the Banks are required to have a pragmatic approach towards their employees and empathy is required to be shown at their level, especially in circumstances where a person has been in service for a while and suffers from medical ailment which has resulted in damage to his body. However, we find that the Bank Authorities seem to be rigid in following the Circular which itself allows more than one OLO to be posted in various circumstances. Although, the Circular does not mention about circumstances

relating to medical ailment, however, we are of this opinion that such Circulars would not have a mandatory character to the extent

of not allowing an official to continue to perform the duties in a circle.

12. The need for transferring to Hyderabad which is essentially for providing a Hindi Translator on account of linguistic region can be dealt with by posting a person who is medically fit in all circumstances.

13. We, therefore, do not find ourselves in agreement with the order passed by the learned Single Judge. The impugned order dated 13.10.2025 is accordingly, set-aside and we allow the appellant to continue. The present Special Appeal (Writ) is allowed. We direct the State Bank of India to pass appropriate orders for posting the appellant in one of the Networks at Jaipur.

14. We request the learned Single Judge to decide the Civil Writ Petition expeditiously.

15. All pending applications also stand disposed of.