
(1987) 01 RAJ CK 0035

In the Rajasthan High Court

Case No : Civil Writ Petition No. 1821 of 1984

Ram Pratap

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 05-01-1987

Acts Referred:

Rajasthan Municipalities (Subordinate and Ministerial Service) Rules, 1963 — Rule 38

Citation : (1987) 1 WLN 559

Hon'ble Judges : A.K. Mathur, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Ashok Kumar Mathur, J.—The petitioner by this writ petition has challenged the order dated 24-5-1984 (Ex. 1) transferring the petitioner from Municipal Board, Anoopgarh to Municipal Board, Hanumangarh. Petitioner has also challenged the validity of Rule 38 of the Rajasthan Municipalities (Subordinate Service) Rules, 1963.

2. Petitioner was working as a Revenue Inspector in the Municipal Board, Anoopgarh. Petitioner proceeded on leave from 7-5-1984. On 9-7-1984 when he wanted to resume his duties, then he was informed that his services has been transferred from the Municipal Board, Anoopgarh to the Municipal Board, Hanumangarh. It is this order which is sought to be challenged the present writ petition.

3. So far as the question of validity is concerned the same has already been upheld by this Court in the case of Mohan Lal Jain v. State of Rajasthan 1979 RLW 441. Since the State Government has power to transfer the incumbent from one place to another and transfer can be interfered if it is in contravention of statutory provision or on the ground of malafide. But both the grounds do not exist in the present case. Thus there is no merit in this writ petition and it is hereby dismissed.