
(2009) 01 RAJ CK 0020
In the Rajasthan High Court

Sambhu Dayal Modi	Vs	APPELLANT
State of Rajasthan and Others		RESPONDENT

Date of Decision : 06-01-2009

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2009) 01 RAJ CK 0020

Hon'ble Judges : Govind Mathur, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Govind Mathur, J.—To assail the validity, propriety and correctness of the judgment dt. 20.11.2008 passed by the Rajasthan Civil Services Appellate Tribunal, this petition for writ is preferred. By the judgment impugned, learned Tribunal while rejecting the appeal preferred by the petitioner giving challenge to the order of transfer dt. 04th October, 2008 held that the transfer impugned was not made in violation of any statute and is not outcome of mala fides.

2. It is stated by learned Counsel for the petitioner that the Tribunal failed to appreciate that the order dt. 04th October, 2008 was made only to accommodate respondent Shri Shyam Sunder Swami at Government Senior Secondary School, Sadul, Bikaner.

3. I have examined the order impugned and other documents annexed with the writ petition. From perusal of the judgment impugned, it is apparent that the petitioner is working in urban area of Bikaner for last 23 years. Learned Tribunal after considering all the facts available on record reached to conclusion that the order of transfer was made in administrative exigency and therefore, refused to interfere with the same. I do not find any reason to interfere with the judgment impugned while exercising powers under Articles 226 and 227 of the Constitution of India, as the petitioner failed to point out any perversity in the order impugned. This petition for writ is dismissed.

4. If the petitioner is having any personal grievance with the transfer impugned, he may agitate the same before the competent authority by submitting representation.