



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**



D.B. Civil Writ Petition No. 12821/2025

Pushkar Naraian Sharma S/o Late Shri Babu Lal Sharma, Aged About 49 Years, R/o 70/203, Patel Marg, Mansarovar, Jaipur - 302020, Sub- Divisional Engineer, Circle Office, Bsnl, Rajasthan, Jaipur (Group B Post), Hrms No. 200204852.

-----Petitioner

Versus

1. Union Of India, Through Secretary, Department Of Tele-Communication, Sanchar Bhawan, Ashoka Road, Sansad Marg Area, New Delhi-110001.
2. Chairman/managing Director, Bsnl Corporate Office, New - Delhi, 3Rd Floor, Bharat Sanchar Bhawan, Janpath, New - Delhi - 110001.
3. Principal General Manager (Pers), Bsnl Corporate Office, New - Delhi, 4Th Floor, Bharat Sanchar Bhawan, Janpath, New - Delhi - 110001.
4. Assistant General Manager (A.g.m), (Pers.-II), 4Th Floor, Bharat Sanchar Bhawan, Janpath, New - Delhi - 110001.
5. The Chief General Manager, Bsnl Rajasthan Telecom Circle, Sardar Patel Marg, C- Scheme, Jaipur - 302001.

-----Respondents

For Petitioner(s) : Mr. Shobhit Vyas, Adv.  
For Respondent(s) : Mr. Khem Chand Sharma, Adv.  
Mr. Neeraj Batra, Adv. with  
Mr. Ravindra Pal Singh, Adv.

**HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA  
HON'BLE MR. JUSTICE SANJEET PUROHIT**

**Order**

**10/09/2025**

1. The present writ petition has been preferred by the petitioner assailing the order dated 08.08.2025 passed by Central Administrative Tribunal, Jaipur Bench, Jaipur.
2. Learned counsel for the petitioner submits that petitioner had sought/made a representation for extending time to join his new place of posting which has been denied by the respondents



illegally and arbitrarily. Learned counsel also submits that a request was made in the circumstances that his daughter is studying in Class-XII and her Board Examinations are to be commenced in March, 2026 and he therefore, requested to allow him to continue in the Rajasthan Circle, where he is presently posted, instead of being transferred to Karnataka Circle. It would be very difficult for him to come and attend his daughter and at this stage, his daughter could not be shifted to new school at Karnataka.

3. Learned counsel has also invited our attention to the transfer policy dated 07.05.2008, which provides that such an appropriate request can be made for seeking extension of time.

4. Learned counsel further submits that Central Administrative Tribunal without adverting to the said aspect, has proceeded to reject his application solely on the ground that the applicant has remained posted at the present place for 23 years and that the respondents have a right to transfer him from Rajasthan Circle to Karnataka Circle. Learned counsel submits that the reason for which the application has been moved, has not been addressed to at all by the Central Administrative Tribunal.

5. Mr. Neeraj Batra, appearing for respondents submits that there are several applications of such a nature with the department and upon instructions having been received from his higher authorities, he submits that the applicant's request for retaining him at Jaipur till March, 2026 has, therefore, been rejected as it would have catastrophic effect on the other cases also of similar nature.

6. We have considered the contentions.





7. As per the transfer policy dated 07.05.2008, a person can be transferred from one place to another in India and applying that transfer policy, the petitioner was transferred to Karnataka Circle from Rajasthan Circle. In the same transfer policy, Clause 6.6 also provides that an employee can seek retention at a particular place of posting up to the end of academic year on the ground that child was studying in Class X or Class XII and the same would be considered by the Transfer Placement Committee for getting transfer.

8. Mr. Neeraj Batra, counsel for respondents submits that the said provision is yet to be introduced, though suggestions in this regard have been taken from the various stake-holders.

9. We are of the considered view that the Central Government and its authorities ought to have taken into consideration the aspect regarding the parents providing education to their children in a manner that they may be provided appropriate environment to study. If an employee of the level of Sub-Divisional Engineer or of lower ranks is transferred from one State to another, admittedly, it would affect his entire family.

10. We find that the petitioner before us is seeking retention for providing academic atmosphere to his daughter who is studying and appearing in examination for Class-XII. While the State Government and the Central Government are promoting the campaign of '*Beti Bachao aur Beti Padhao*' on one side, their authorities are completely immune to the requirements of such girls. A compassionate approach is required to be adopted by officers who helm the health of the parents. If employees are asked to perform in such an atmosphere where they are forced to



work at different place, it causes disturbance to their family and their performance would not be up to the mark. At the same time, the children who are appearing in the Board Examination may also be affected. The State, while acting as a welfare State, also has to take care of the mental health of its employees as well as their families as it is a part of right to life and liberty under Article 21 of Constitution of India.

11. Keeping in view the above, we do not find that the order dated 08.08.2025 passed by the Central Administrative Tribunal is sustainable in law and we accordingly, set aside the same and direct the respondents to allow the petitioner to continue his services in the present place of posting in Rajasthan Circle at Jaipur till March, 2026, whereafter the respondents would be free to relieve him to join at his transferred place of posting.

12. With the aforesaid observations, the present civil writ petition is allowed.

13. We have been told that during the pendency of this writ petition, the respondents have issued a relieving order on 31.07.2025, the same also stands quashed.

14. Pending application(s), if any, also stand disposed of.

(SANJEET PUROHIT),J

(SANJEEV PRAKASH SHARMA),J

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