

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11241 of 2017**

Vijay Kumar Singh, S/o Shri Mahesh Singh, R/o Mohalla- Pipardih, Ward No.33, P.O.+P.S.+District- Aurangabad. at present posted as Acting Headmaster, E. Kunwar Residential High School, Ganesh Nagar, Manika, Block- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Aurangabad.
6. The District Programme Officer (Establishment), Aurangabad.
7. Mr. Shiv Narayan Singh, Assistant Teacher, E. Kunwar Residential High School, Ganesh Nagar, Manika, Block- Madanpur, District- Aurangabad.

... .. Respondent/s

**Appearance :**

|                      |   |                                  |
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| For the Petitioner/s | : | Mr. Rajeev Kumar Singh, Advocate |
| For the State        | : | Mr. S.K.Ranjan, AC to GP17       |
| For Resp. No.7       | : | Mr. Mukesh Kumar Jha, Advocate   |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

5      13-12-2017              Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State and the respondent No. 7.

Counsel for the petitioner submits that in view of Annexure-7 the the petitioner should have been posted as Incharge Headmaster of the school in question.

Counsel for the State, on the other hand, submits that the petitioner being Niyojit Shikshak is not entitled to be posted and as such he does not deserve any consideration and his writ petition is thoroughly misconceived.



There is allegation on behalf of the petitioner as well as the respondent no. 7 regarding incompetence of the petitioner or the respondent no. 7 for the post of Incharge Headmaster in the school in question.

Considering the rival submissions of the parties, the writ petition is disposed of with a direction to the Director, Secondary Education, Bihar, Patna to take decision for posting of regular Headmaster in the school in order to obviate such dispute of posting of Incharge Headmaster.

The Director, Secondary Education is expected to take such decision within four months from the date of receipt/production of a copy of this order.

**(Anil Kumar Upadhyay, J)**

spandey/-

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