

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13973 of 2019**

Indu Kumri, Wife of Virendra Kumar Vimal, Resident of Village- Senduwara Budhauri, Police Station- Nawada, District- Nawada at present Incharge Headmaster, High School, Lohan, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Sheikhpura.
3. The District Education Officer, District- Sheikhpura.
4. The District Superintendent of Education, Sheikhpura.
5. The District Programme Officer (Establishment), Sheikhpura.
6. The Area Education Deputy Director, Munger Division, Munger.
7. The Block Education Officer, Sheikhpura.
8. The District Programme Officer (Planning and Account), Sheikhpura.
9. The Deputy Development Commissioner, Sheikhpura.
10. The Incharge Headmaster, High School, Lohan, District- Sheikhpura.
11. Shailendra Priyadarshi, Son of Sita Ram Prasad Resident of Village- Dayanatchak, Police Station- Barbiga, District- Sheikhpura.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar  
For the Respondent/s : Smt. Binita Singh (Sc28)

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

2      12-07-2019                      Heard learned counsel for the petitioner and the respondents.

The petitioner has filed the present writ application challenging the decision of the District Education Officer, Sheikhpura whereby the petitioner was asked to hand over the charge of incharge headmaster to Shri Shailendra Priyadarshi.

Learned counsel for the petitioner submits that the



petitioner is the senior most teacher in the school, in question, and without giving opportunity of hearing to the petitioner the District Education Officer, Sheikhpura directed the petitioner to hand over the charge of incharge headmaster to Shri Shailendra Priyadarshi.

There is no post of incharge headmaster and it is for the convenience and for discharge of the responsibility of headmaster in absence of regular headmaster senior teachers are assigned the job of incharge headmaster.

Under the aforesaid circumstances, the writ application is disposed of with a direction to the respondents to either post regular headmaster in the school, in question, or to consider the case of inter se seniority of the petitioner and Shailendra Priyadarshi by providing opportunity of hearing to the petitioner and Shailendra Priyadarshi within a period of one month from today and thereafter decide the issue of incharge headmaster in favour of the teacher, who is found senior in the school, in question.

**(Anil Kumar Upadhyay, J)**

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