

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1167 of 2025

Vishwanath Paswan S/o Ramchandra Paswan, Resident of Village- Udaypur, P.S.- Gaurichak, District- Patna and At present working as an Assistant Teacher in Primary School, Udaypur (Jhu-Jho), Prakhand, Sampatchak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Patna.
5. The District Programme Officer (Establishment), Patna.
6. The Block Development Officer, Sampatchak, Patna.
7. The Block Education Officer, Sampatchak, Patna.
8. Smt. Anju Kumari, Assistant Teacher, Primary School, Udaypur (Jhu-Jho), P.O. and Prakhand- Sampatchak, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rama Kant Singh
For the Respondent/s	:	Mr.Government Pleader (20)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned GP-20 for the State.

2. Learned counsel for the petitioner submits that petitioner is senior to respondent no.8, but then respondent no.8 has been officiating as Incharge Principal of Primary School, Udaypur (Jhu-Jho), Sampatchak, Patna. It is submitted that the Block Education Officer, Sampatchak, Patna, vide Memo No.325 dated 31.08.2023, had given



specific direction to all the Incharge Principal of different schools mentioned in the memo dated 31.08.2023, to hand over charge of Incharge Principal to the senior most teacher. It is submitted that despite memo dated 31.08.2023 (Annexure-2) being issued by the Block Education Officer, Sampatchak, Patna, the respondent no.8 is not handing over charge of Incharge Principal to the petitioner, despite petitioner being senior to her.

3. The learned counsel appearing for the State submits that the writ application can be disposed of with a direction to the petitioner to file a representation before the Collector, Patna, raising his grievance as raised in the instant writ application.

4. After hearing learned counsels for the parties, this application is disposed of with liberty to the petitioner to file a representation before the Collector, Patna, on or before 01.08.2025, raising his grievance as raised in the instant writ application. In the event, if any application is filed by the petitioner seeking redressal of his grievance on or before 01.08.2025, in that event, the Collector, Patna, shall consider and dispose of the representation of the petitioner within a period of two months thereafter, after giving proper



opportunity of hearing to all concerned. In the event if it is found that the representation of the petitioner does not merit consideration, in that event the Collector, Patna shall pass a reasoned order.

5. It is further made clear that if the Collector, Patna, is not the authority competent for adjudicating the dispute, in that event the Collector, Patna, shall refer the representation of the petitioner before the authority competent and the authority competent within the time aforesaid shall consider and dispose of the representation of the petitioner, in accordance with law, after giving proper opportunity of hearing to all concerned.

(Satyavrat Verma, J)

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