

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4876 of 2024

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Rabindra Kumar Das Son of Ganesh Das R/V- Mohanpur, Post- Digghi, P.S.-
Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Additional Chief Secretary Department of Education, Govt. Of Bihar, Patna.
3. The Director Higher Primary Education Govt. of Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Education Officer, Jamui.
6. The District Programme Officer (Estab), Jamui.
7. The Block Education Officer, Laxmipur, Jamui.
8. The Block Development Officer cum Secretary Block Teachers Selection Unit, Laxmipur, Jamui.
9. The Block Education Officer, Sikandra, Jamui.
10. The Block Development Officer Cum Secretary Block Teachers Selection Unit, Sikandra, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Respondent/s : Mr.Standing Counsel (15)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 26-06-2025 1. The petitioner has filed the present writ application for quashing the order dated 20.02.2024 issued by the District Education Officer, Jamui whereby the petitioner has been transferred from Upgraded Middle School, Mohanpur, Block-Laxmipur, Jamui to Upgraded Middle School, Mathurapur on pretext of posting.
2. The petitioner was appointed as Panchayat Teacher in the year 2006 and was working in Upgraded Middle School,



Mohanpur. He qualified as B.P.S.C. Teacher T.R.E.-2023 examination and was appointed and posted at Upgraded Middle School, Mathurapur. The petitioner was relieved from his duties of Panchayat Teacher and thereafter he joined as B.P.S.C. teacher in Upgraded Middle School, Mathurapur.

3. Learned counsel for the petitioner submits that teachers, who were appointed by B.P.S.C. under T.R.E.-2023 were given three options for their posting. The option given by the petitioner include Upgraded Middle School, Mohanpur where teacher student ratio is very low. The wife of petitioner is also a teacher in Upgraded Middle School, Mohanpur. There is policy decision of the State to post husband and wife on the same place as far as possible.

4. Learned counsel for the State submits that petitioner was not transferred but it was a fresh appointment after the petitioner qualified as B.P.S.C. teacher. The appointment and posting of the new recruits i.e. BPSC teacher is done on randomization and software application. The respondent has no authority to give posting to the petitioner of his choice.

5. Learned counsel for the petitioner in reply submits that a representation has been filed before the District Education Officer, Jamui (Annexure- P/5), which is still pending. He,



however, proposes to file a fresh representation before the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna within a period of two weeks and the Additional Chief Secretary, Education Department may be directed to dispose the representation of the petitioner in accordance with law.

6. Learned counsel for the State has no objection.

7. Regard being had to the submission made by the parties, this writ application is disposed with permission to the petitioner to file a representation before the respondent no. 2 / Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna within a period of two weeks from today. If such representation is filed, the respondent no. 2 is directed to dispose the same in accordance with law within a period of two months from the date of filing of the representation.

(Anil Kumar Sinha, J)

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