

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11164 of 2025

1. Anil Kumar Sinha Son of Shivbalak Prasad, Resident of Vill. Mahanandpur, P.S. -Deep Nagar in the district of Nalanda.
2. Sanjay Prasad, son of Siyaram Prasad, Resident of vill. Pirogha Math, police Station Ghoshi in the district of Jehanabad.
3. Md. Saklain Ansari, Son of Md. Mahboob Ansari, Resident of Vill- Babu Bank, Post- Jhaja in the district of Jamui.
4. Shashi Ranjan, Son of Mukund Prasad Jaiswal, Resident of Vill. -Raja SC Banaejee Road Adampur Police station- Jagdishpur in the District of Bhagalpur.
5. Swati Rani, Daughter of Rameshwar Prasad, Resident of Muhalla- New Jakkanpur, Laxmi market, Lakhanlal Path, Police station - Jakkanpur in the district of Patna.
6. Kushesh Kumar Sharma, Son of Kartik Sharma, Resident of Village- Sono, Police station Jhajha in the district of Jamui.
7. Md. Afjal Alam, Son of Mohshin Alam, R/o Vill. Raghunathpur P.O.- Rajokhar, in the district of Araria.
8. Rajesh Kumar Sharma, Son of Suresh Thakur, Resident of Shantipuram Colony, RPS P.s. - Danapur in the district of Patna.
9. Kumari Neetu, daughter of Ram Naresh Prasad, Resident of Lallu Pokhar, Godhi Town Tola, P.S. M. in the district of Munger.
10. Rajkumar Paswan, S/o Laxman Prasad, Resident of TV Inter School Govindpur, P.S. -Govindpur in the district of Nawada.
11. Dharmendra Kumar Pandit, son of Yamuna Pandit, Resident of vill. Niranjapur, P.O. Sakla Bazar, P.S. Kachchawan in the district of Rohtas.
12. Gayatri Kumari, daughter of Umeshwar Mishra Resident of vill. Susari, P.O. Mahsauna, in the district of Rohtas.
13. Santosh Kumar Das, son of Ram Naresh Das, Resident of vill. Birajpur, post Khapra P.S.- Sangrampur in the district of Munger.
14. Bhavanand Kewel, son of Haldhar Prasad Resident of vill. Karampur, P.S. Delha, in the district of Banka.
15. Kumari Ravi Ranjan, D/o Bansidhar Singh, R/o- Rupsagar, P.S - Na Buxar.
16. Vineeta Kumari, D/o of Ramawadhesh Singh resident of -vill- Bickol, Chaturbhuj market P.S.- Gorakshani in the district of Sasaram.
17. Kanchan Singh, Son Rambachan Singh resident of -vill- Premchand Path P.S.-Gorakshan in the district of Sasaram.
18. Anil Kumar, Son of Swami Ramdas, Resident of -Vill- Bikrampur P.S.-Kajra in the district of Lakhisarai.



19. Simpi Kumari, D/O Late Satyanarayn Bhagat, Resident of Green Park Colony, Khemnichak, P.S.- Sampatchak in the district of Patna.
20. Arshi Bano, D/O Md. Mumtaj Ahamed, Resident of vill. Gagandiwan, P.S.- Deep Nagar in the district of Nalanda.
21. Sanjeev Kumar, S/o Jagdish Prasad, Resident of vill. Ghansura, P.O. Jharana, P.S. Nimchak in the district of Gaya.
22. Rakesh Kumar, S/o Baleshwar Prasad, Resident of vill.- Ghughrit, P.O.- Chandchaura, P.S. Vishnupad in the district of Gaya.
23. Binod Kumar, S/o Mangru Ram, Resident of Vill and post Nagri, P.S. Charpokhari in the district of Bhojpur.
24. Kumari Pooja Ojha, D/o Awadhesh Kumar Ojha, Resident of Jaso Road, Golamber, P.S. Mufassil In the district of Buxar.
25. Praveen Kumar, S/o Birendra Kumar, Resident of Kautilya Nagar, P.S. Shashtri Nagar in the district of Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Bihar Public Service Commission through its Secretary Govt. of Bihar, Patna.
3. The Examination Controller, Bihar Public Service Commission, Patna.
4. The Director, Primary Education, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate-on-record
For the BPSC	:	Mr.Sanjay Pandey, Advocate
		Mr.Nishant Kumar Jha, Advocate
For the State	:	Mr.Pranaw Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-07-2025 Heard Mr. Sanjeev Kumar, learned counsel appearing on behalf of the petitioners; Mr. Sanjay Pandey along with Mr. Nishant Kumar Jha, learned counsels for the BPSC and Mr. Pranaw Kumar, learned counsel for the State.

2. Petitioners in paragraph no. 1 of the present writ petition have sought *inter alia* following relief(s), which is



reproduced hereinafter:-

“I. To issue a writ in the nature of certiorari to quash the order vide memo No. 1616 dated 30/06/25 issued under signature of Director (Primary) education, whereby and whereunder large number of newly appointed Head Master of Higher Primary School were posted on their respective place of posting without following the mandatory Provisions i.e. Merit cum Choice basis and also negating the roster Clearance as stipulated in Advertisement No. 26/2024 of education department govt. of Bihar.

II. Also for issuance of an appropriate writ to placed the petitioners at their respective place of posting in accordance with their Merit cum choice basis.

III. Also for issuance of an appropriate writ in the nature of mandamus stay the operation of the order vide Memo No. 1616 dated 30/06/25 till the disposal of present Writ application.

IV. And or any other writ/writs order/orders for which petitioners found entitle in the eye of law.”

3. At the very outset, Mr. Pranaw Kumar, learned counsel for the State submitted that at the best the action of the Director, Primary Education Department can be justified once he gives information as to why the petitioners have not been given the posting of their choice.

4. Considering the fair stand taken by Mr. Pranaw Kumar, learned counsel for the State, the petitioners are at liberty to avail the remedy under the appropriate Act, which shall be considered expeditiously.



5. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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