

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11649 of 2025

Nilam Sanjiv Nilam S/o- Jagarnath Prasad Yadav, Resident of Village-
Karnaul Chaturbhuj, P.S.-Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Ranjan
For the Respondent/s	:	Mr. Raghwanand, GA 11
		Mr. Rajnish Shandilya, AC to GA 11

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 22-07-2025 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. The petitioner has filed the present writ application being aggrieved by the Memo No. 1837, dated 01.07.2025 issued by the Director, Primary Education, Government of Bihar, Patna, whereby the petitioner has been posted as Head Teacher in the district of Araria.3. The petitioner was appointed as a BPSC Head Teacher. He has been allotted as Head Teacher in the district of Araria contrary to the option opted by him.4. The Bihar Public Service Commission published an advertisement bearing No. 25 of 2024 for selection on the |
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post of Head Teacher, pursuant to which the petitioner applied and was selected as Head Teacher.

5. Learned Counsel for the petitioner submits that the petitioner is suffering from cancer disease. After his posting to Araria district, the petitioner filed a representation before the Additional Chief Secretary, Education Department, Government of Bihar for his posting in his home district and home block since the present place of posting is 300 kms. away from his house.
6. Accordingly, the submission is that the representation of the petitioner may be considered on the basis of the circular/guidelines regarding transfer/posting by the Authorities and keeping in view that the petitioner is suffering from cancer and his place of posting is 300 kms. Away from his house.
7. Learned Counsel for the State submits that the petitioner, if so desire, may file a fresh representation along with the necessary documents and the circular/guidelines of the Government before the Additional Chief Secretary, Education Department, Government of Bihar, which shall be decided in accordance with law.
8. Considering the rival submissions advanced on behalf of



the parties and taking into consideration the nature of prayer made in the writ application, the same is disposed with liberty to the petitioner to file a fresh representation along with all the documents before the Additional Chief Secretary, Education Department, Government of Bihar, within a period of two weeks from today.

9. If such a representation is filed, the Additional Chief Secretary, Education Department, Government of Bihar, is directed to dispose the same in accordance with law expeditiously taking into account the guidelines/circular of the State Government and the fact that the petitioner is suffering from cancer as soon as possible preferably within a period of one month from the date of filing of the fresh representation along with a copy of this order.
10. With the aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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