

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12407 of 2025

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Sudha Kumari D/o Sikandar Mandal W/o Indradeo Kumar Bhushan R/o village and Post -Satish Nagar, Ward No.- 04, P.S.- Pasraha District- Khagaria presently posted as Exclusive Teacher, Kanya Middle School, Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Education Department Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Bihar Patna.
3. The Secretary, Education Department, Bihar, Patna.
4. The Director, Secondary Education, Education Department Bihar, Patna.
5. The Director, Primary Education, Education Department, Bihar, Patna.
6. The District Magistrate, Khagaria.
7. The District Education Officer, Khagaria.
8. The District Program Officer, Establishment, Khagaria.
9. The District Magistrate Katihar.
10. The District Education Officer, Katihar.
11. The District Program Officer, Establishment, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj, Advocate.
For the Respondent/s : Government Advocate (8)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-08-2025 Heard Mr. Manoj Kumar Manoj, learned counsel

 appearing on behalf of the petitioner and learned GA-8 for the

 State.

2. The petitioner in paragraph no. 1 of the present writ
petition has sought, *inter alia*, following relief(s), which is
reproduced hereinafter:-

*“i. for setting aside the School allotment
letter No.-1837 dt.-1.07.2025 issued by Respondent
no.-5 to the extent of Petitioner as the posting of this*



Petitioner as Head Teacher in Primary School has been made wrongly in Katihar District, after declaring Successful in Backward (Female) Reservation category in the Examination of Head Teacher in light of Examination held at the basis of Advertisement No.-25 of 2024 issued by Bihar Public Service Commission, Patna by which the Petitioner has been allocated and posting made at Katihar District who is placed at Sl. No.-14082 which is against the Reservation Roster (Annexure-P5) and Advertisement (Annexure-P4) and in violation of Principles of natural justice.

ii. For restoration of place of posting in Khagaria District as the Petitioner was earlier allotted and posting made in Khagaria District by Letter dt.-3.04.2025 (Annexure-P7) issued by Respondent no.-5 which has been wrongly and illegally cancelled without any reason in violation of principle of natural justice by opting arbitrary and discriminatory attitude.

iii. Further by commanding the respondents to allot the school for working on the basis of Option already taken by respondents and the Petitioner submitted the option (Annexure-P6) and Khagaria district has been allocated and posting made by letter dt.-3.04.2025 (Annexure-P7) but contrary to this the Petitioner has been allotted wrongly and illegally Katihar district which is much distant from the house of the Petitioner, requires interference by this Hon'ble court.

3. The petitioner is aggrieved by having not been given the choice posting as per the policy of the State Government.

4. It is well settled principal of law that the Court should restrain from interfering in any manner, unless and until the policy of the State Government is arbitrary. As such, this Court restrains itself, in absence of any discrimination having been pointed out by the learned counsel appearing on behalf of



the petitioner.

5. The petitioner, if so desires, may file fresh representation before the Additional Chief Secretary, Education Department, Government of Bihar, Patna for considering her grievance, as prayed for in the present writ petition.

6. The Additional Chief Secretary, Education Department is directed to consider the case of the petitioner and pass an order after providing due opportunity of hearing to him, well within a period of two weeks, without further delay.

7. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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