

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13279 of 2025

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Shreekant Kumar, S/o- Suresh Prasad Gupta, R/o Vill.- Jafarpur, P.S.- Paroo,
Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Secondary Education, Patna.
2. The Additional Chief Secretary, Education Department, Bihar, Patna.
3. The Regional Deputy Director Education, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The Block Education Officer, Paroo Block, P.S.- Paroo, Dist.- Muzaffarpur.
7. Sri Kamendra Sharma, In-charge Headmaster, Rajkiyeakrit High School, Paroo, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.
For the State : Mr. Mahendra Prasad verma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has sought quashing of the Memo
No. 558, dated 28.03.2025, issued by the respondent no. 5, by
which the private respondent no. 7 has been engaged as In-
charge Headmaster in Rajkiyeakrit High School, Paroo,
Muzaffarpur, contrary to the Government circular issued vide
Letter No. 2226, dated 04.09.2024.

3. It is the case of the petitioner that the person, who
is Niyojit Teacher, has been place above the petitioner, whose



appointment has been made on the recommendation of Bihar Public Service Commission and in terms of Letter No. 2226, dated 04.09.2024, issued by the Directorate of Secondary Education, which speaks that in a case where the Headmaster recommended from the Bihar Public Service Commission and the teacher who is posted from local bodies in such School, the In-charge Principal would be declared only from and amongst those who have been recommended from the Bihar Public Service Commission. But in the School where this petitioner is posted, such notification, which is issued by the Directorate of Secondary School is said to have been violated and in this regard the petitioner has also filed representation before the appropriate authorities including the Additional Chief Secretary, Education Department, which is appended as Annexure-10 series.

4. It is made clear that the entire exercise should be completed by giving opportunity of hearing, if so required, to the petitioner, and if his claim is found to be true, notification issued by the Government, then appropriate modification and fresh order shall be issued by the authorities competent in law modifying the office order, as contained in Memo No. 552, dated 27.03.2025.



5. The impugned letter is not being interfered at this stage with a sheer view that chaos should not be created, but it is always expected that once it is found that the petitioner is entitled to be posted in the said School, then immediately on such determination, appropriate office order shall be issued and the petitioner shall be given appropriate posting.

6. Accordingly, the instant writ petition is disposed of.

(Ajit Kumar, J)

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