

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12300 of 2025

1. Chandan Kumar, S/O- Satyanarayan Paswan, R/O-Village- Ratanpura, PO- Ratanpur Bela, P.S- Samastipur, District-Samastipur, appointed as Head master in District- Muzaffarpur, Block-Paroo, School- P.S. Babhangawn Pichhari Jati Dakshin Tola.
2. Amrita Kumari, D/O- Hareshwar Ray, W/O-Niraj Kumar Ray, R/O- Mohalla- Pagahia, P.O- Parsauni Kapur, P.S-Kathaiya, District- Muzaffarpur, appointed as Headmistress in District of Muzaffarpur, Block- Aurai, School- PS Balkan Je Wari.
3. Abhishek kumar, S/O- Jageshwar Das, R/O-Ward no. 06, R/O- Village Mathna, PO- Mathna milik, PS- Guraul, District-Vaishali, appointed as headmaster in the District of Muzafarpur, Block- Paroo, School- P.S.Sahni Tola Paroo.
4. Ashok Kumar, S/O- Veerandra Kumar Yadav, R/O- Village- Gopalpur, Bishunpur Gopal, PO- Laloochhapra, P.S- Paroo, District- Muzaffarpur, appointed as Headmaster in the District of Muzaffarpur, Block- Katra, School- PS Dhanaur Mushar Tola.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Human Resources, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Human Resources, Government of Bihar, Patna.
3. The Director Primary Education, Education Department Government of Bihar, Patna.
4. The District Education officer, Muzaffarpur.
5. The District Programme officer, (Establishment) Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate

For the Respondent/s : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-07-2025 Heard Mr. Alok Ranjan, learned counsel appearing on behalf of the petitioners and Mr. P.K. Shahi, learned Advocate General for the State.



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

“(i) For quashing of the letters as contained in letter no. 9795054, dated 17.07.2025, letter no. 7806802 dated 17.07.2025, letter no. 747275 dated 17.07.2025, letter no. 2597870 dated 17.07.2025 issue under the signature of District Education officer, Muzaffarpur, whereby and where under petitioners have been issued appointment/joining letters in the schools situated in the Blocks, contrary to the option demanded by the respondent authorities and consented/opted by the petitioners. Allotment of Blocks on the basis of application demanded and submitted by the Head masters on the basis of recommendation made, by which in most arbitrary and illegal manner, even without taking into consideration of merit position of the candidates and also preferences submitted by them for allotment of Blocks have been effected.

(ii) For quashing part of order as contained in memo no. 1934 dated 14.07.2025 issued under the signature of Director Primary Education, Education Department, Government of Bihar Patna, so far it relates to petitioner; whereby and where under Blocks to the petitioners have been allotted contrary to the preferences as submitted by the petitioners.

(iii) For directing and commanding the respondent authorities under the Education Department of the state Government to refrain from effect to the allotment of Blocks in respect of the present petitioners as in blatant disregard of the preferences submitted by the petitioners despite of having better merit position then the other candidates, they have been allotted blocks contrary to the preferences submitted by them in furtherance of the order passed by the authorities, in view of the fact that notwithstanding the better higher position, the preferences submitted by the petitioners have been ignored and the persons below them have been allotted the Blocks the choice of the in present petitioners.

(iv) For issuance of a direction order or writ, including writ in nature of mandamus, commanding the concerned respondents authorities under the Education Department of the State Government to undertake fresh exercise with respect to the allotment of Blocks in the respect of the head masters appointment on the basis of preferences submitted by the petitioners.

(v) For issuance of an ad-interim direction upon the concerned respondent authorities under the Education Department of the state government to refrain from giving effect to the recommendation and allotment of Blocks in respect of Head masters/ teachers as



communicated by the impugned order dated 14.07.2025 bearing memo no. 1934, in so far as the same related to the present petitioners during the pendency of the present writ application.

(vi) For any other appropriate relief/reliefs to which the petitioners are found entitled in the facts and circumstances of this case.”

3. The petitioners are 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 petitioners.

5. The petitioners, if so desire, may file their fresh individual representation before the Director, Primary Education, Education Department Government of Bihar, Patna for considering their grievances, as prayed for in the present writ petition.

6. The Director, Primary Education is directed to consider the case of the petitioners and pass an order after providing due opportunity of hearing to them, well within a period of two weeks, without further delay, considering the fact that today is the last date of the joining of the petitioners and the



students at large should not suffer in any manner.

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

(Purnendu Singh, J)

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