

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12360 of 2025

Vinod Kumar Pandey, S/o Late Ramchandra Pandey, Resident of Village-
Mahuari, P.S.- Akorhi Gola, P.O.-Chanp in the District of Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Patna.
2. The Principal Secretary, Department, of Education, Patna.
3. The Additional Chief Secretary, Department of Education, Patna.
4. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
5. The Director, Madhyamik Education, Department of Education, Govt. of Bihar, Patna.
6. The Regional Deputy Director, Uchch Madhyamik Education, Department of Education, Tirhut Division, Muzzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Manendra Kumar Sinha, Advocate.
For the State	:	Mr. Raghwanand, GA-11
		Mr. Sanjay Kumar Tiwari, AC to GA-11.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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

 appearing on behalf of the petitioner and Mr. Raghwanand,

 learned GA-11 along with Mr. Sanjay Kumar Tiwari, learned

 AC to GA-11 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:-

*“1. That this is an application for
issuance of appropriate writ/writs, Rule/ Rules,
Order/orders in the nature of mandamus for a
direction to respondents*



a. in the nature of Certiorari for quashing the impugned posting order of the petitioner to Motihari (East Champaran), which is contrary to the merit-cum-choice principle laid down in the recruitment advertisement;

b. in the nature of Mandamus, directing the respondents to effect posting of the petitioner in accordance with Clause 4(i) of the advertisement, particularly considering his choice for Patna Division, based on his merit as such the petitioner stood 4th position in the merit list of Divyang Category.

c. in the nature of Certiorari for quashing the impugned Memo No. 1616 dated 30/06/2025 by which the selected candidate has been allotted the District and Division and Memo No. 1755 dated 11/07/2025 along with joining cum posting letter dated 17/07/25 issued by the Respondents.”

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 his 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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