

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12641 of 2025

Sarita Kumari Wife Sunil Kumar, Resident of Road No. 1, Sikaria More,
Doctor Kishori Mohan Complex, Police Station Chandauti, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
5. The Director, Primary Education, Education Department, Government of Bihar, Patna.
6. The Bihar Public Service Commission, through Chairman, Bihar Public Service Commission, Nehru Path, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Adil Abbas, Advocate
For the Respondent/s	:	Government Pleader (18)
For the BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-08-2025 Heard Mr. Adil Abbas, learned counsel appearing on behalf of the petitioner; learned Government Pleader (18) for the State and Mr. Sanjay Pandey along with Mr. Nishant Kumar Jha, learned counsels appearing on behalf of the Bihar Public Service Commission.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(1) Issuance of Writ or Writs in the nature of Certiorari quashing the part of Order, vide Memo No. 1616, dated 30.06.2025 in respect of Petitioner; whereby



the Petitioner was allotted Supaul District for appointment as Head Mistress in complete contravention of Spouse Posting Policy Decision dated 07.06.2021.

(II) For issuance of Writ or Writs in the nature of Mandamus commanding the Respondents to allot the posting of Petitioner in the three preferred district, i.e. Gaya, Aurangabad and Jehanabad as given by the Petitioner as per the Posting of Spouse Policy formulated by the State of Bihar.

(III) Grant any other relief or reliefs to which the Petitioners may be found entitled to in the facts and circumstances of this case.”

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 desire, may file a fresh representation before the the Director, Primary Education, Education Department Government of Bihar, Patna for considering her grievances, as prayed for in the present writ petition.

6. The Director, Primary Education is directed to consider the case of the petitioner and pass an order after



providing due opportunity of hearing to her, well within a period of two weeks, without further delay, considering the fact that the petitioner 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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