

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13052 of 2025

Pratibha Kumari D/o Ramashish Yadav W/o Ritesh Kumar R/o village- Dhoi Navtoli Post- Dhoi, P.S.- Sadar, District- Darbhanga presently posted as Exclusive Teacher, Elevated Middle School (UMS), Dhoi Navtoli, Block- Darbhanga Rural, Darbhanga.

... .. 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, Primary Education, Education Department, Bihar Patna.
5. The District Magistrate, Darbhanga.
6. The District Education Officer, Darbhanga.
7. The District Program Officer, Establishment, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate
For the Respondent/s : Mr. Advocate General

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief(s):-

*(i) For issuance of appropriate writ/writs
for setting aside the posting letter bearing Memo
no.-1934 dt.-14.07.2025 to the extent of petitioner
and Letter No.-DAR/ ADV-25/2024/ SPL/ HT/
4285851 dt-17.07.2025 issued by Respondent no.-4
and 6 respectively by which posting of petitioner as
Head Teacher made in NPS Navgachhia Tola,
Alam Nagar Block-Tardih Darbhanga, wrongly
without following the option dt. 4.07.2025*



(Annexure-P5/1) made in light of letter dt.- 02.07.2025 (Annexure-P5) which were sought by respondents in which the petitioner has opted three Blocks as Darbhanga-Rural, Bahadurpur and Darbhanga Urban, after declaring successful 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.

(ii) For further direction by commanding the respondents to allot the School to petitioner as per the submitted option (Annexure-P5/1) which is arbitrary and discriminatory acts and attitude of Respondents requires urgent interference by this Hon'ble court.

3. It is the case of the petitioner that, having the requisite qualification, she applied for the post of Panchayat Teacher and was appointed as *Shiksha Mitra* after due procedure in terms of the Bihar Panchayat Teacher Appointment Rules, 2006. Since then, she has been regularly working as Panchayat Teacher in school allotted in Darbhanga.

4. In the meantime, the Bihar Service Public



Commission issued Advertisement No. 25/24 dated 01.03.2024 for recruitment of Head Teachers in Primary, Secondary and Higher Secondary Schools in the State of Bihar. The petitioner, having found herself eligible, applied for the said post, qualified in the requisite test and was declared successful. In terms of the policy framed by the State Government, she was required to exercise options for allocation of Districts and thereafter, upon allocation of Districts, she was further asked to furnish three preferences for allocation of Blocks as would be evident from Annexure- P5/1 at Page 31, the petitioner exercised her preferences in the following order: (i) Darbhanga Rural, (ii) Bahadurpur and (iii) Darbhanga Urban.

5. The grievance of the petitioner is that the policy framed by the State Government has not been adhered to in her case. Persons junior to her have been granted favourable allocation of Blocks, whereas her seniority and preference as per the policy, have not been considered. The petitioners asserts that the policy of *merit-cum-choice* was designed to ensure fairness in allocation of Districts and Blocks so as to maintain transparency and efficiency in school administration and in imparting education.

6. It is next submitted that the petitioner has already



filed a representation before the authority for the Education Department, which is appended at Annexure-P6 at Page 32, wherein the details of her preferences have been specifically mentioned, but the same has not been considered.

7. Considering the aforesaid facts, it is the case of the petitioner that despite submission of her Block preferences on the web portal, the same has not been acted upon. She has already filed a representation dated 18.07.2025 and therefore, the authorities are obliged to consider the same and pass appropriate order in accordance with the law, so that the irregularity in allocation of posting is rectified and merit is duly respected.

8. In such view of the matter, this Court directs that the said exercise be completed within a period of four weeks from today by the authority competent in law and the necessary orders be communicated to the petitioner forthwith, so that she may appropriately submit her joining to the post so allocated.

9. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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