

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13470 of 2025

1. Sunit Kumar S/O Janardan Mahto, Resident of Bibhutipur, Samastipur, P.O.- Bibhutipur, P.S.- Bibhutipur, District - Samastipur, Bihar, Pin-848211.
2. Sudha Kumari, W/O Indradeo Kumar Bhushan, Resident at Ward No. 04, Satish Nagar, Saurh, P.O. Satishnagar, P.S- Pasraha, District - Khagaria, Bihar, Pin - 853203.
3. Vinay Kumar, S/O Awadhesh Prasad Singh, Resident of New Chawwani, Ward no. 11, Barahiya, P.O.- Barahiya, PS- Birupur, District Lakhisarai, Bihar, Pin - 811302.
4. Dilip Kumar, S/O Mahadev Mistri, Resident of Chhoti Chhariyari, Chinduara, PO. -Chhoti Chhariyari, P.S- Tharthari, District Nalanda, Bihar-803120.
5. Md. Waqar Ahmed, S/O Md. Shakil Ahmed, Resident of - Haider Ganj Karah, Ward no. 11, Silao, Nalanda, P.O-Silao. P.S- Silao, District Nalanda, Bihar, Pin-803117.
6. Sunil Kumar Mandal, S/O Shiv Nandan Mandal, Resident of Village - Rampura, Ward no. 13, P.O -Koilakh, P.S.- Rajnagar Madhubani, District Madhubani, Bihar, Pin-847236.
7. Pinki Kumari, W/O Mukesh Kumar Sharma, Resident of Gram Chakballi, P.O. Noorpur, P.S.- Noorpur, District - Begusarai Bihar, Pin -851210.
8. Sanjay Kumar, S/O-Chandrika Prasad, Resident of Mohalla Vidyadhar, Ward no. 15, P.O. and P.S. -Khagaria, District - Khagaria, Bihar, Pin-851204.
9. Rashmi Kumari, W/O Ritesh Kumar, Resident of Ward No. 19, Thana Chowk, Hajipur dakshini, khagaria P.O- Khagaria, P.S - Khagaria, District - Khagaria, Bihar, Pin-851204.
10. Vinod Kumar Gautam, S/O Shiv Govind Ram, Resident of Village Salthua, PO-Salthua, P.S- Kudra, District Kaimur (Bhabua), Bihar, Pin-821109.
11. Gyanesh Kumar, S/O Ram Lakhan Prasad, Resident of Village D.B. Road, P.O and P.S. Saharsa, District - Saharsa, Bihar, Pin-852201.
12. Sanjay Kumar, S/O Tengaree Ram, Gram- Ballipur, Bhagwanpur, Pahariya, P.O.-Pahariya, P.S. - Bhagwanpur, District- Kaimur, Bihar, Pin 821101.
13. Rakesh Kumar, S/O Bharat Singh, Resident of Village- Shikarpur, Usri, P.O- Shikarpur, PS- Shahpur, District Patna, Bihar, Pin 801105.
14. Reena Kumari, W/O Lalan Prasad, Resident of Chandpura Bazar, P.O Chandpura Nanhakar, P.S. Desri, District - Vaishali, Bihar, Pin 844504.
15. Tabassum Naz, D/O Md. Abdul Rashid Ansari, Resident of Sigori, Paliganj, P.O. -Sigori, P.S. Sigori, District -Patna, Bihar - 801110.
16. Rohit Kumar, S/O Ravindra Prasad Kushwaha, Resident of Ganeshpur, jakhra, P.O and P.S. Gopalpur, District - West Champaran, Bihar, Pin-845307.
17. Anurekha Paudwal, D/O Ramkishor Prasad Gupta, Resident of Alipur, Block Manpur, P.O and P.S. - Manpur, District - Gaya, Bihar, Pin 823003.
18. Pankaj Ram, S/O Upendra Ram, Resident of Bachhawara, Rasidpur, P.O.



and P.S. -Rasidpur District -Begusarai, Bihar, Pin - 851128.

19. Nutan Kumari, W/O Amarendra Kumar, Resident of Swami Vivekananda Campus, Mithapur, B Area, Phulwari, P.O.- GPO Patna, P.S.- Jakkanpur, District -Patna, Bihar, Pin - 800001.
20. Sandhya Kumari, W/O-Devendra Kumar Yadav, resident of Ward No. 07. Begamsarai, Bachhwara, P.O. and P.S-Bachhwara, District - Begusarai, Bihar, Pin-851111.
21. Sanjay Kumar Chaudhary, S/O Kailash Chaudhary, Resident of Bariyarpur West, Bariyarpur, P.O. Tara Bariyarpur, P.S- Khodawanpur, District - Begusarai, Bihar, Pin-848202.
22. Kumari Priyanka, W/O -Abhinash Kumar, Resident of Shahila Balli, P.O.- Shahila Balli, P.S Hathauri, District Muzaafarpur, Bihar, Pin-843129.
23. Krishna Kumari, W/O Suresh Prasad Yadav, Resident of Ward no. 9, Auraha, P.O. and P.S.- Auraha, District- Madhubani, Bihar, Pin -847108.
24. Md. Istakhar Khan, S/O Md. Khursheed Khan, Resident of Ward No. 17, P.O and P.S-Khagaria, District - Khagaria, Bihar, Pin - 851204.
25. Md. Irshad Anwar, S/O Aftab Alam, Resident of Ali Nagar Bhadauni, Gondapur, P.O.-Nawadha, P.S. Nagar Thana Nawadha, District Nawadha, Bihar, Pin-805110.
26. Deepak Kumar, S/O Late Vijay Prasad Gupta, Resident of Sabjimandi, P.O. and P.S. Paliganj, District- Patna, Bihar, Pin - 801110.
27. Anil Kumar Gupta, S/O Vijay Prasad Sah, Resident of Sadar Bazar, near kanya Madhya Jamalpur, Vidalay, Arya Samaj Road, P.O. and P.S. District -Munger, Bihar-811214.
28. Devendra Ram, S/O Nageshwar Ram, Resident of Mahamadpur Deopar, P.O. -Pusa, P.S.-Pusa, District - Samastipur, Bihar, Pin-848125.
29. Jagriti Kumari, W/O Devendra Ram, Resident of Mahamadpur Deopar, P.O. -Pusa, P.S.-Pusa, District Samastipur, Bihar, Pin 848125.
30. Anamika Rana, D/O Shyam Nandan Sharma, Resident of Brahmasthan, Bariyarpur, P.O- Bariyarpur, P.S.-Bariyarpur, District- Munger, Bihar, Pin-811211.
31. Shagufta Sultana, W/O Md. Jahangir, Resident of Mustafa Nagar, Ward No. 6, P.O and P.S. Saharsa, District - Saharsa, Bihar, Pin - 852201.
32. Shaista Sultana, D/O Abdul Hafiz Ansari, Resident of Mustafa nagar, Ward No. 6, P.O and P.S, Thana Chowk, District Saharsa, Bihar, Pin -852201.
33. Alka Kumari, W/O Sanjiv Kumar Gupta, Resident of - Village Sadpora, Milki Tola, P.O- Ramana, P.S- Kaji Mohammadpur, District-Muzaffarpur, Bihar, Pin-842002.
34. Soni Kumari, W/O Anil Kumar Mishra, Resident of Mowdhaneshpur South, Ward No. 8, Vidyapatinagar, P.O and P.S Vidyapatinagar, District- Samastipur, Bihar, Pin-848503.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education



Department, Government of Bihar, Patna.

2. The Director, Primary Education, Education Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Abhinav, Adv.
For the Respondent/s : Mr. Advocate General

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-09-2025

Heard learned Advocate for the petitioners through
video conferencing and the learned Advocate for the State.

2. The petitioners, who are thirty-four in numbers,
have approached this Court for the following reliefs:

“(i) Issuance of a direction, order or writ, including writ in the nature of certiorari for quashing the order dated 01/07/2025 bearing memo no. 1837 (Annexure-P/9) issued by the Director (Primary Education) Education Department, Bihar, Patna, (Respondent No. 2) by which allotment of districts on the basis of application submitted by the Head Teachers appointed on the basis of the recommendation made by a letter dated 19/11/2024 by the concerned authorities under the Bihar Public Service Commission, Patna (hereinafter referred to as "the Commission") have been allotted districts purportedly on merit-cum-choice basis, by which in the most illegal and arbitrary manner, even without taking note of the merit position of candidates and also the preferences submitted by them allotment of districts have been effected;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus



commanding the concerned respondent authorities under the Education Department of the State Government to refrain from giving effect to the allotment of districts in respect of the present petitioners as in blatant disregard of the preferences submitted by the petitioners despite having a better merit position than the other candidates, they have been allotted districts contrary to the preferences submitted by them in furtherance of the order dated 01/07/2025 bearing memo no. 1837 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 districts, the choice of the present petitioners;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government to undertake a fresh exercise with respect to allotment of districts in respect of the Head Teachers appointment on the basis of the recommendation as contained in a letter dated 19/11/2024 issued by the Commission pursuant to the process of selection conducted in furtherance of Advertisement No. 25/2024 (Annexure-P/2) published by the Commission while applying the principle of merit-cum-choice in a letter and spirit and accordingly. while taking note of the merit position of the present petitioners and other similarly situated persons appointed against the post of Head Teachers allot them districts on the basis of the preferences submitted by them;

(iv) 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 recommendations and allotment of districts in respect of Head Teachers as communicated by the impugned order dated 01/07/2025 bearing memo no. 1837 in so far as the same relates to the present petitioners during the pendency of the present writ application;

(v) Issuance of appropriate writ, order or direction, including writ in the nature of certiorari for quashing and staying the operation of the order dated 14.07.2025 issued by the Respondent No. 2, the Director (Primary Education), Education Department, Government of Bihar, bearing Memo No. 1934, whereby school-level allotments have been made to 35,333 candidates who had earlier been allotted districts pursuant to the counselling process; and further for quashing the subsequent order dated 15.07.2025 issued by the said Respondent vide Memo No. Letter-7/Misc.30/2021(Part-A) 1954, whereby the District Education Officers have been directed to facilitate the downloading of provisional appointment letters, school transfer orders, and proforma contribution letters between 17.07.2025 and 21.07.2025 so as to enable the concerned Head Teachers to assume charge on 21.07.2025, inasmuch as the said actions are premised upon an already arbitrary and illegal allotment of districts, which is under challenge in the present writ petition.

(vi) Any other relief that the petitioners may be found to be entitled to in the facts and circumstances of the present case.



3. Learned Advocates for the respective parties, after some arguments, fairly submitted that the identical issue has come up for consideration before this Court in ***CWJC No. 11252 of 2025 [Preeti Kumari & Ors. Vs. The State of Bihar & Ors.]*** along with other analogous cases which came to be disposed off on 30.08.2025, wherein this Court in penultimate paragraph has observed and directed the Additional Chief Secretary, Education Department, Government of Bihar, Patna to convene a meeting with the Director, Secondary Education as well as the Director, Primary Education, to frame a model for redressal of grievance of allocation of nearby district after inviting objection, preferably within a period of four weeks from the date of receipt/production of a copy of the order.

4. Learned Advocate for the petitioners further submitted at the Bar that there are some of the Teachers, who have submitted their joining under protest on the place beyond preferential option(s) and their claim has not been taken care of in the afore-noted, C.W.J.C. No.11252 of 2025 along with other analogous cases, they have preferred CWJC No. 11187 of 2025 and their cases have also been disposed of vide order dated 08.09.2025, by observing that the teachers, who have submitted their joining under protest, are in no way deprived from filing



objection.

5. Considering the submissions, the present writ petition also stands disposed off in terms with the decisions rendered in the case of *Preeti Kumari (supra)* as also in *CWJC No. 11187 of 2025 [Archana Kumari vs. The State of Bihar & Ors.]* along with other analogous cases which came to be disposed of on 08.09.2025.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2025
Transmission Date	NA

