

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14567 of 2025

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1. Md. Imtiyaz Ahmad S/o- Md. Islam, R/o- Near Community Hall, Mushahari, P.O- Mushahari Farm, P.S- Mushahari, District- Muzaffarpur, allotted District of Banka.
 2. Sanjay Kumar Sahani, S/O- Kailash Sahni, R/O- Village and P.O- Saidpur, Ward no.- 14, P.S- Chakmehsi, District- Samastipur, allotted District of Kishanganj.
 3. Shama Parween, D/o- Md. Ismail, W/o- Md. Tausif Alam, R/o- Karanpur Bochaha, P.O- Bochaha, District-allotted District of Sitamarhi.
 4. Saba Naseemi, W/o- Md. Zahid Hussain, R/o- Sir Sauyed Colony Sahdullahpur, Malighat, VTC- Musahri, P.O- Ramna, District- Muzaffarpur, allotted District of Banka.

... .. 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, Banka.
5. The District Education Officer, Kishanganj.
6. The District Education Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Adv.
For the Respondent/s : Mr. Sanjiv Kumar, AC to AG

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-09-2025

Heard the parties.

2. The petitioners have filed the present writ application for the following reliefs:-

“(i) For Quashing of the letters as contained in letter no.1989954 dated 17.07.2025, letter no. 5071125 dated 17.07.2025, letter no.9584257



dated 17.07.2025, and for producing appointment letter of petitioner no.4 before this Hon'ble court and to quash the same, issue under the signature of District Education officers of different districts, whereby and where under petitioners have been issued appointment/joining letters in the schools situated in the Districts, contrary to the option demanded by the respondent authorities and consented/opted by the petitioners. Allotment of Districts on the basis of application demanded and submitted by the Head teachers 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 Districts have been affected.

(ii) For 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 (so far it relates to present petitioners) issued by the Director Primary Education, Education Department, Bihar, Patna, (Respondent No.3) Whereby and where under allotment of districts on the basis of application submitted by the Head Teachers appointed on the basis of the recommendation made 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 submitted by them and also the preferences submitted by them allotment of districts have been effected and Districts 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 Districts in respect of the present petitioners as in blatant disregards of the preferences submitted by the petitioners despite of having better merit position then the other candidates, they have been allotted districts 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 Districts the choice of the present petitioners and in a very arbitrary, illegal and discriminatory manner have been denied to the 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 allotment of Districts, Blocks in the



respect of the head masters/Teachers 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 Districts 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. Learned Advocate representing the petitioners and the State submitted at the Bar that the identical issue has come up for consideration in C.W.J.C. No.11252 of 2025 along with other analogous cases, which came to be disposed off on 30.08.2025, wherein this Court in para-49 had 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. Having considered the submissions set forth by the learned Advocate for the respective parties, the present writ petition stands disposed off in similar terms with the order dated 30.08.2025 passed in C.W.J.C. No.11252 of 2025 along with other analogous cases.

(Harish Kumar, J)

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