

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17721 of 2025

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Shashi Kumari W/o- Sunil Sah, Resident of Village- Paluahi, Block Road,
P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Department of Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Education Officer, Madhubani.
5. The District Programme Officer (Establishment), Madhubani.
6. Block Education Officer, Lakhsaur, Madhubani.
7. Chanchala Kumari, D/o not known, At present working as a teacher in Rajkiya Madhya Vidyalaya, Mahmadpur, Block- Benipatti, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Baidyanath Thakur, Adv. Mr. Prabhakar Thakur, Adv. Mr. Kaushik Dev, Adv.
For the Respondent/s	:	Mrs. Puspanjali Sharma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents-State.

2. With the consent of the parties the present writ
application is disposed of at this stage.

3. In the present writ application the petitioner has
prayed for the grant of following reliefs:

*“(i) For directing the respondents to
immediately quash and set aside the order
vide letter no 1/293393/2025 dated*



11.09.2025 (Annexure-P/10) wherein the Collector directed the district education officer, Madhubani to hand over the charge of headmaster to Smt. Chanchala Kumari and for taking an appropriate action against headmistress Shashi Kumari within a period of one week.

(ii) For directing the respondents to immediately quash and set aside the orders issued by the District Education Officer, Madhubani (Memo Nos. 2310 dated 10.07.2025 (Annexure-P/8) and as such orders are in direct contravention of the "Status Quo Shall be maintained order passed by the Hon'ble Patna High Court in CWJC No. 15369/2024 and analogous cases regarding teacher seniority.

That his writ application is being filed for issuance a writ in the nature of mandamus:

(iii) For direction to respondents to immediately cease any form of disciplinary and punitive, action against the petitioner initiated for not handing over the administration of Incharge headmaster, Rajkiya Madhya Vidyalaya Mahmadvpur to Smt. Chanchala Kumari.

(iv) For directing the respondents to mandatorily adhere to the administrative process initiated by the State Government,



and to restrain themselves from taking any final decision regarding the administrative charge or seniority of the petitioner until the seniority committee constituted vide Bihar Education Department Letter No. 2555 dated 09.09.2025 has submitted its final and binding report.

(v) For commanding the respondents to confirm the petitioner, Shashi Kumari, as the rightful In-charge Headmaster of Rajkiya Madhya Vidyalaya Mahmampur, based on her established service seniority as a senior local teacher on the Graduate Grade post since 2014, and to enforce the departmental policy (Letter No. 2226 dated 04.09.2024) in favor of the most senior eligible teacher until a regular Headmaster is appointed.

For any other relief or reliefs, either independently or consequentially, in the facts and circumstances of the present case.”

4. Learned counsel for the petitioner submit that on number of occasions the petitioner has submitted representation before the authorities concerned, the last one being Annexure-P/14 dated 20.09.2025, which the petitioner has submitted before the District Education Officer, Madhubani, which continues to be pending till date. Learned counsel for the petitioner thus submits that the petitioner would be satisfied if



an appropriate direction could be issued to the District Education Officer, Madhubani to disposed of the pending representation of the petitioner dated 20.09.2025 within a fixed time frame after giving an opportunity of hearing to the petitioner. He further prays that so long as the matter is pending final disposal before the District Education Officer, Madhubani, no coercive action should be taken against the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondents-State does not have any objection. .

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, the present writ application is disposed of directing the District Education Officer, Madhubani to dispose of the pending representation of the petitioner dated 20.09.2025 (Annexure-P/14) within four months from the date of production of a copy of this order, after giving an opportunity of hearing to the petitioner as well as to respondent no.7, Chanchala Kumari. Needless to emphasize that the final order that shall be passed by the District Education Officer, Madhubani should be a reasoned and speaking order. In the meantime, no coercive action shall be taken against the petitioner.



7. With the aforesaid observation and direction, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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