

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20147 of 2025

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Bipin Kumar Gupta Son of Resident of Shivpur, Murar District- Buxar, Bihar,
currently Posted As Incharge, Headmaster Harinagar High School.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary, Education, Bihar, Patna.
3. District Education Officer, West Champaran, Bihar.
4. District Programme Officer (Secondary Education, West Champaran, Bihar.
5. The Executive Officer, Nagar Parishad Ramnagar, West Champaran, Bihar.
6. Block Education Officer Ramnagar, West Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rishabh Mishra, Advocate
For the Respondent/s : Mr. Government Pleader (05)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

I. For issuing a Writ of Writ of Certiorari to quash the order dated 10/10/2025 Passed by District education officer West Champaran, under his signature, whereby directed to petitioner Who is Incharge-Headmaster to hand over the Charge to The person who is Junior to him working in same School is unjust and without Jurisdiction.

II. For issuance writ in the nature of Mandamus commanding the Respondent authorities to allow the Petitioner who has been appointed by the local body and having teaching



experience more than 19 Years, as In-charge Headmaster till the final Appointment of regular Headmaster by the Bihar Public service Commission or by way of Promotion.

III. To direct Respondent authorities to consider and grant Promotion to the Petitioner on the Post of Headmaster from the date on which he has fulfilled the eligibility criteria as per rule of Bihar Zila Parishad/Nagar Nikay secondary and senior Secondary school Service Appointment, Promotion, Transfer, Disciplinary proceedings and service Conditions) rules 2020.

IV. To direct the Respondents to ,maintain Status-quo with regard to the Petitioner's Position as In-charge Headmaster shall be maintained till final disposal of this Writ Petition.

V. Pass Such other order (s) as deem fit and Proper in the facts and circumstances of the case in the interest of Justice to the Petitioner.

3. At this stage, learned counsel for the petitioner submits that by ignoring the seniority of this petitioner, the District Education Officer, West Champaran, is handing over of the charge of Headmaster under In-charge capacity to a person, who is junior to this petitioner. It is further submitted that the action of the authorities is contrary to the notification of the Department of Education dated 20.08.2020, which is appended with the writ petition at page 18 and similar matters have been heard by Co-ordinate Bench of this Court and the matter has been directed to be considered by the Chief Executive Officer of the Zila Parishad, where the dispute of the similar nature had



arisen and this petitioner has also filed representation before the concerned authority for its adjudication, which is appended to the writ petition, as Annexure-P/5 at page 21.

4. It has next been submitted that since it is a matter coming under the Nagar Parishad and therefore, the representation has to be adjudicated by the Chief Executive Officer, Ramnagar, West Champaran, and as such, appropriate direction may be issued in terms of the order dated 26.11.2024 passed in C.W.J.C. No.16951 of 2024.

5. On the other hand, learned counsel for the State submits that this matter may be directed to be considered by the Nagar Parishad, in similar terms to that of the case cited by the counsel for the petitioner.

6. Considering the submissions of the parties, this Court finds that instead keeping this matter pending, it would be appropriate that the Chief Executive Officer, Nagar Parishad, West Champaran, would address the claim of this petitioner for which, representation dated 02.09.2025 has already been filed for consideration and it goes without saying that grievances raised by the petitioner for consideration on the post of Headmaster, which is raised in the writ petition, would be addressed within a period of three months from the date of



receipt of production of copy of this order after giving full opportunity of hearing to the parties.

7. It is further directed that if the charge has not been handed over to any third person, in that event, *status quo* shall continue till adjudication of the representation by the authorities competent in law.

8. Accordingly, the writ petition is disposed of.

(Ajit Kumar, J)

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