

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1161 of 2026

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Bhola Prasad son of Sukhdeo Chauhan, resident of Village- Jhakhaur, P.O.-
Dirmobara, P.S.-Roh, District-Nawada, Bihar-805104.

... .. 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.
3. The District Magistrate, Nawada, Bihar.
4. The District Education Officer, Nawada, Bihar.
5. The Block Education Officer, Nawada, Bihar.
6. The State Project Director, Bihar Education Project Council, Shiksha Bhawan, Saidpur, Rajendra Nagar, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Chandra, Adv. Mr. Priyajeet Pandey, Adv. Mr. Amit Kumar, Adv. Ms. Megha, Adv. Mr. Kaustubh Kumar, Adv.
For the Respondent/s	:	Mr. Government Pleader (23) Mr. Sanjay Kumar, AC to GP-23
For the BEPC	:	Mr. Girijish Kumar, Adv. Mr. Akash Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-01-2026 Heard the parties.

2. The petitioner, who is presently working as a government school teacher in Exclusive Primary School, Jhakhaur, Roh, Nawada, has preferred the present writ petition seeking a direction for the concerned respondents to consider his claim and redress the grievance by modifying his transfer/posting order dated 17.07.2025, as contained in Annexure-P/4,



and to post him as Head Teacher at the same school or nearby school where his wife is posted.

3. It is submitted that the petitioner's wife is a person with physical disability (Locomotor Disabled) and suffers from multiple health issues. Due to her disability and medical condition, she requires regular medical supervision and continuous assistance in mobility and daily activities; hence the petitioner, being her husband, is the primary caregiver. It is further contended that while the petitioner was discharging his duty as an Exclusive Teacher at Primary School, he had appeared in the test duly conducted by the Bihar Public Service Commission for the post of Head Teacher and subsequently he was selected for the post of Head Teacher. Since the petitioner is posted to a school which is situated at a far distant place, he could not submit his joining. In the meanwhile, the Government of Bihar, in the Department of Education, came out with a letter bearing no. 3253 dated 29.08.2025, addressed to all the District Education Officers, inviting options from all the newly recruited Head Masters to submit three options for their posting. In terms of the letter dated 29.08.2025, the petitioner immediately submitted his grievance with the option of the school on 08.09.2025 (Annexure-P/10). Despite the grievance having been



raised by the petitioner, and his request for sympathetic consideration for his transfer near the school of his wife on account of she being 50% Locomotor Disabled, till date no decision has been taken. Hence, the present writ petition.

4. On the other hand, learned Government Pleader No.23, has submitted that despite the fact the petitioner was appointed as a Head Master and he was directed to submit his joining within the prescribed period; the petitioner has failed to do so, and now he has approached this Court for his transfer to a school of his choice.

5. This Court has considered the submissions advanced by the learned Advocate for the respective parties and took note of the facts, especially letter no. 3253 dated 29.08.2025, whereby options were invited from all the newly recruited Head Masters who have not submitted their joining in their respective schools, and in pursuance thereof the petitioner has already submitted his grievance along with the option, which has yet not been considered and disposed off. This Court deems it fit and proper to dispose off the writ petition with a direction to the respondent no. 2, the Director, Primary, Education, Education Department, Government of Bihar, Patna, to consider the grievance of the petitioner and his option for



posting in view of the submissions advanced hereinabove, especially keeping in mind the factum of physical disability of the petitioner’s wife, who has also been working as a primary teacher in Exclusive Primary School, Jhakaur, Roh, District- Nawada and take appropriate decision, preferably within a period of four weeks from the date of receipt/production of a copy of this order.

6. This disposes the writ petition.

(Harish Kumar, J)

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