

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1251 of 2026

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Sunaina Kumari @ Sunayana Kumari Wife of Mukesh Kumar, Resident of
Village-Noorsarai, P.S.-Noorsarai, District-Nalanda, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Patna, Bihar.
4. The District Education Officer, Nalanda, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Adv Mr. Mukund Kumar, Adv
For the Respondent/s	:	Mr. Anirban Kundu SC-24

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. With the consent of both the parties, the present
writ application is being disposed of at this stage itself.

3. The petitioner in the present writ application is
prayed for the following reliefs:-

“That the present Writ Application is being filed
for issuance of Writ in the nature of Mandamus or any other
appropriate Writ, Order, direction, directing the respondent
authority/authorities to take appropriate action on
application filed by the petitioner to transfer her from
Nalanda District to Patna District and allot her any school
of Patna district amongst her choices given on E-
Shikshakosh Portal of Department of Education
Government of Bihar considering her and her husband
critical health condition and also considering the aspect that
choices given by the petitioner for his posting is still vacant.



The Petitioner further prays for issuance of consequential Writ in the nature of Mandamus commanding the Respondent Authorities to take an immediate decision upon application filed by the petitioner for her transfer on the ground of her bad health condition at any of the school of his opted options given on e- Shiksha Kosh portal.”

4. Learned counsel for the petitioner submits that vide Annexure P-7, the petitioner has already been transferred from Nalanda District to Patna but she has not been allotted any school in Patna District. He therefore submits that for seeking allotment of the school in the District of Patna, he may be permitted to file a afresh representation before the District Education Officer, Patna (respondent no.3) within 15 days and further prays that if such a representation is filed, the District Education Officer, Patna may be directed to dispose of the same within one month from the date of filing of representation, after giving an opportunity of hearing to the petitioner.

5. The above submission made by the learned counsel for the petitioner is not objected to by the learned counsel for the respondent- State.

6. Considering the limited nature of prayer being made by the learned counsel for the petitioner, the writ application is disposed of granting liberty to the petitioner to file a fresh representation before the District Education Officer, Patna within 15 days from today and, if such representation is



filed within the time stipulated, the District Education Officer, Patna shall dispose of the same within a period of one month from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner.

5. Needless to emphasis that the final order shall be passed by the District Education Officer, Patna should be reasoned and speaking order. It is further made clear that the relief which will be claimed by the petitioner through the fresh representation, if the petitioner is found entitled to the same, the same should be given to the petitioner within 15 days from the date of passing of the final order by the District Education Officer, Patna.

6. With the aforesaid observation, direction and the liberty granted, the present writ application is disposed of. The Pending I.A, if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

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