

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1439 of 2026

Shobha Kumari Wife of Sri Ravi Kant Kumar, Daughter of Late Bhola Prasad
Giri, Residence of Village-Khedalpura, P.O. and P.S.-Bihta, District-Patna,
State-Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education
Department, Govt. of Bihar, Patna.
2. The District Education Officer, Patna.
3. The District Education Officer (Establishment), Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Kant Kumar, Advocate
For the Respondent/s	:	Mr. Madaljeet Kumar, Government Pleader 20

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent-State.

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

3. The petitioner has prayed for grant of following
relief :-

*“(i) To issue the writ of Mandamus Order or
direction to respondent's for transferred the petitioner
pursuant to Contained Annexure - P2 whereby and
whereby respondent/s authority Department of
education Govt. Of Bihar given Choice of Block for
Posting as head Teacher to the petitioner by e-
Shikshakosh on dated 04 July 2025 bearing
Application No. TP-82374190.*

*(ii) To issued the writ of mandamus to
commanding to the respondent/s authority to
performing his legal obligation accordance with law*



and procedure Under Rule 7 of the Bihar Panchayat Elementary School Head Teacher Rule 2024, Contained Annexure Pl it shall come into force vide Government of Bihar, education Department, Notification, Memo No. 7/Misc-30/2021-385 Patna, dated 20-2024.

(iii) To issue the writ of mandamus to disposed the application given to the petitioner on dated 06.10.2025 Contained Annexure P8 before respondent/s.

(iv) To the proper action against the responsible Respondent/s authority under which they has adapted to the Choose and pick method, without follows the Law & Procedure, Contained Annexure-P7 on dated 05.10.2025.

(v) To any other Relief or Reliefs may be allowed which will be just, proper and equitable on the opinion of this Hon'ble court.

4. After advancing some argument, learned counsel for the petitioner submits that for the aforesaid relief claimed in the present writ application, the petitioner has already filed a representation dated 06.10.2025 before the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna which has been brought on record by way of Annexure-P-8, but till date the same has not been disposed of by the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna. He accordingly prays that the petitioner would be satisfied if an appropriate direction could be issued by this Court for disposing of the pending representation of the petitioner after giving an opportunity of hearing to the petitioner within a fixed time



frame.

5. To the aforesaid submissions made by learned counsel for the petitioner, learned counsel appearing on behalf of the respondent-State do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application stands disposed of directing the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna to dispose of the pending representation of the petitioner dated 06.10.2025 (Annexure-P-8) within a period of three months from the date of receipt / production of a copy of this order after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna, should be reasoned and speaking order.

8. It is further made clear that in case the petitioner is found entitled to the relief which the petitioner is claiming in the pending representation, the same should be extended to the petitioner within a further period of one month from the date of passing of the final order by the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.



9. With the aforesaid observation/direction and liberty granted, the present writ application stands disposed of.

10. All pending I.A.s, if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

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