

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1677 of 2026

Vinay Kishor Son of Late Balgovind Singh, Permanent Resident of village-Daulatpur, P.O.- Gowasa, P.S.- Narhat, District-Nawada, Presently Residing at Mohalla- Ghughari Tand, P.O.- Chand Chaura, P.S.- Vishnupath, District-Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Secretary, Education Department, Government of Bihar, Patna.
5. The Director, Primary Education, Government of Bihar, Patna.
6. The Deputy Director, Primary Education, Department of Education, Government of Bihar, Patna.
7. The District Magistrate, Gaya.
8. The District Education Officer, Gaya.
9. The District Programme Officer, Establishment, Gaya.
10. Md. Qamruddin Quadri Ansari, Son of M. Fakhruddin, Resident of village-Arif Nagar, Gewal Bigha, P.O.- HPO Gaya, P.S.- Rampur, District- Gaya, Pin Code- 823001. Presently Posted as Head Teacher, P.S. Lakhanpur, Block- Gaya Town, District- Gaya.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Advocate
For the Respondent/s	:	Mr. Government Pleader (25)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and
learned counsel for the Respondent-State.

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



3. The petitioner in the present writ application has prayed for the grant of following reliefs:-

i.) Issuance of Writ in the nature of Mandamus directing the Respondents to consider the Seniority of the Petitioner and also the fact that the Petitioner was working as In-Charge Head Master since Years (2010) then also they were removed from the said Post and newly appointed Head Teacher who are juniors have been given Posting/charge and further direct the Respondents to restore the Petitioner on the Post of In-Charge Head Master / Head Master / Head Teacher after considering their Seniority as per the Rules and Departmental Guidelines.

ii.) Issuance of Writ in the nature of Mandamus directing the Respondents to consider the Representation dt. 15.12.2025 & 06.01.2026 (Annexure-P/5 Series) given by the Petitioner and to take appropriate legal action for the redressal of the grievances of the Petitioner and



to consider his Seniority while posting the newly selected Head Teacher.

iii.) To declare that the decision taken by the Respondents while posting the newly selected Head Teacher who are juniors were posted in the schools where Seniors were In-Charge Head Master is bad in law.

iv.) Issuance of such other order orders, direction/ directions, relief/reliefs to which the petitioner may found entitled to be passed as your Lordships may deem fit and proper.

4. After advancing some argument, learned counsel appearing for the petitioner submits that although the petitioner has previously filed couple of representations but the petitioner wants to file a fresh representation, before the District Education Officer, Gayaji and prays that an appropriate direction be issued to the District Education Officer, Gayaji to dispose of the representation, which will be filed by the petitioner, within fixed time frame after giving an opportunity of hearing to the petitioner and respondent no. 10, namely, Md. Qamruddin Quadri Ansari.

5. To the aforesaid submission made by learned



counsel for the petitioner, learned counsel for the Respondent-State does not have any objection.

6. Considering the limited nature of prayer made by the learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a fresh representation before the District Education Officer, Gayaji within one month from the date of passing of this order. If such a representation is filed, the District Education Officer, Gayaji shall dispose of the same within a period of three months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner and respondent no. 10, namely, Md. Qamruddin Quadri Ansari. Needless to emphasize that the order which shall be passed by the District Education Officer, Gayaji on the representation of the petitioner should be a reasoned and speaking order. It is further made clear that in the event of the petitioner being found entitled to the relief which the petitioner would be claiming through the representation, the same should be given to the petitioner within a further period of three months from the date of passing of the final order by the District Education Officer, Gayaji.

7. With the aforesaid observation, directions and



liberty granted, the present writ application stands disposed of. All pending Interlocutory Applications, if any, will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

U			
---	--	--	--

