

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2242 of 2026

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1. Gautam Kumar Son of Vidyanand Prasad, Resident of Mohalla-Sri Thakur Niwas, Ward No.-02, Near Barsi Sangat, Khusrupur, P.S.-Khusrupur, District-Patna, Bihar.
 2. Shilpi Shikha, Wife of Santosh Kumar Suman, resident of Mohalla-M.G. Nagar, Kanti Factory Road, Kankarbagh, P.S.-Kankarbagh, District-Patna, Bihar.
 3. Niraj Kumar, Son of Saryug Paswan, resident of Mohalla-Tarni Prasad Lane, Ghasiyari Gali, Patna City, P.S.-Khajekala, Dist-Patna.
 4. Nisha Kumari, Daughter of Yadunandan Paswan, resident of Aakashvani Marg, Khajpura, Patna, P.S. Rajiv Nagar, Dist-Patna.

... .. 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. District Magistrate, Government of Bihar, Patna.
4. The District Education Officer, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha, SC (26)
		Mr. Santosh Kumar Mishra, AC to SC-26

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

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

*“For issuance of Writ in the nature of
Mandamus or any other appropriate Writ, Order,
direction, commanding the Respondent Authorities
to take an immediate decision upon*



application/Grievance filed by the petitioners for their transfer on the ground of distance within the district and allot them any of the school of their opted ten panchayats given on e- Shiksha Kosh portal and redressed their raised grievance.”

3. Learned counsel for the petitioners submits that for an appropriate transfer in terms of the policy framed by the State Government, their applications have already been placed on e-Shiksha Kosh portal and in case, if their applications have not been placed, they undertake to place the same for redressal of their grievance and accordingly, the cases these petitioners may be directed to be decided, as per policy of the Government.

4. It has next been submitted that the Co-ordinate Bench of this Court has already passed an order with regard to consideration of the representation in respect of transfer, as per the policy and as such, the case of these petitioners may also be directed in similar terms, as is directed in the case of ***Sunaina Kumari @ Sunayana Kumari v. The State of Bihar and Others*** vide order dated 29.01.2026 passed in C.W.J.C. No.1251 of 2026 and the relevant portion of the said order, has been extracted hereunder :-

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.

7. 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.

8. 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.

5. Learned counsel for the State, at this stage, submits
that their cases can be considered on similar terms, provided



such applications are placed on e-Shiksha Kosh portal in terms of the policy framed by the State Government indicating reasons for transfer, which shall be considered, as per the regulations framed by the Department.

6. Considering the submission of the parties, this Court finds it appropriate to direct the District Education Officer, Patna, Bihar, to consider the grievance of these petitioners, who have filed an application on e-Shiksha Kosh portal by referring to the reasons, based on which, they are seeking transfer, which falls within the parameters framed by the State Government and if their applications are already placed on e-Shiksha Kosh portal, then the same shall be considered within a period of six weeks from the date of representation, supported with all supportive materials including the copy of the order passed by this Court and the same shall also be communicated within the same time.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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