

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3244 of 2026

Arjun Kumar Rajak Son of Chandrika Rajak, Resident of Mohalla-Ramnagar, P.O. and P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Nawada.
6. The District Programme Officer (Establishment), Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Muskan Singh
For the Respondent/s : Mr. Madhusudan Rai, AC to SC- 23

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-03-2026 Heard learned counsel for the parties.

2. The instant application has been filed for the following reliefs:-

(i) For directing and commanding the respondents to transfer the petitioner from his present place of posting i.e. Uchya Madhyamki Vidyalaya (Amawan West), Rajouli under Nawada District to any other Uchya Madhyamik Vidyalaya under Nawada, Sadar Block or under the 10+2 schools comes under Nawada, Nagar Parishad as the petitioner is physically 60% disabled.

(ii) For directing the respondents specifically Director Secondary Education to exercise his



administrative power in the matter of petitioner so that grievance of the petitioner may be redressed.

(iii) For any other relief for which the petitioner is found entitled to in the facts and circumstances of the case.

3. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed and joined his services in Jamui District on 21.03.2017 and, in the year 2025, he was transferred to Amawan West, Uchya Madhyamik Vidyalaya, Rajouli under Nawada District in light of Letter No. NAW/TRANSFER/2025/00143, where he is presently working. He further submits that a transfer policy was published by the Department of Education, Government of Bihar, in which ten options were called for from the teachers seeking transfer. Accordingly, the petitioner had given ten options in his transfer application, but surprisingly he has been transferred to Rajouli Block, which is about 30 km from the residence of the petitioner and does not form part of the options submitted. It is further submitted that on account of the reasons stated in the transfer application, the petitioner applied for transfer vide the transfer application form which has been brought on record by way of Annexure-P/2, wherein the petitioner has given requisite options for his place of transfer. Learned counsel for the petitioner



further submits that the request for transfer made by the petitioner is in terms of the policy of the State Government contained in Resolution No. 1729 dated 07.10.2024, more particularly covered under Clause (1)(i), (vi) and (vii). It is further submitted that the petitioner is physically 60% disabled and since the request for transfer is squarely covered by the policy of the State Government, an appropriate direction may be issued to respondent nos. 3 and 5 to consider the request of the petitioner and to post him against any available vacancy in any of the ten options given by the petitioner in the transfer application form.

4. Learned Senior Counsel appearing for the Respondent-State does not oppose the submission made by the learned counsel for the petitioner.

5. Considering the submissions made by the parties and the facts and circumstances stated above, the petitioner is directed to file a fresh representation, giving reference to the earlier representation, within two weeks from today before respondent nos. 3 and 5. Upon receipt of such representation, respondent nos. 3 and 5 shall consider the request for transfer made by the petitioner vide Annexure-P/2 and post him against any available vacancy from the ten options given by the



petitioner in the transfer application form.

6. It is expected that the respondent authorities shall pass an appropriate order posting the petitioner at any place where there is a vacancy from the ten options given by the petitioner within six weeks from the date of receipt/production of a copy of this order, if applicable, in terms of the policy, so framed by the State Government.

7. The writ application is accordingly disposed of in the aforesaid terms.

(Ajit Kumar, J)

shikha/-

U			
---	--	--	--

