

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5257 of 2026

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Ritu Singh wife of Uttam Kumar, present resident of Flat No. 101, Sundaram Enclave, Kitab Bhawan Lane, Police Station - S. K. Puri, District - 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, Education Department, Govt. of Bihar, Patna
3. The District Magistrate, Patna
4. The Regional Deputy Director of Education, Patna
5. The District Education Officer, Patna
6. The District Programme Officer (Establishment), Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Parijat Saurav
For the Respondent/s : Mr. Rajnish Shandilya, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-04-2026 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed for the

following reliefs:-

(i) For directing the respondents to make correction and amendment to the transfer of the petitioner (who is a primary school teacher) done on 09.01.2026, which transfer was done by ignoring her choices, and to transfer the petitioner in her first choice of transfer/ posting in a Government school in Patna Sadar Urban Block in District-Patna, pursuant to her application for transfer on special ground including the ground of workplace of her husband.

(ii) To direct the respondents to transfer



the petitioner afresh in a government school in the Patna Sadar Urban Block in Patna district.

(iii) For any other relief which this Court may deem fit and proper in the eye of law.

3. Learned counsel for the petitioner submits that the petitioner was initially appointed as a Niyojit/Panchayat Teacher in Primary School, Ararua, Madanpur, Aurangabad, vide Letter No. 7 dated 23.02.2007 issued by the then local appointment unit, and she duly joined the said school. It is the case of the petitioner that the State Government has framed the Bihar School Exclusive Teachers Rules, 2023 (as amended by the Amendment Rules, 2024), under which Niyojit/Local Body Teachers were given the option to appear in a competency examination conducted by the Education Department, Government of Bihar. The said Rules also provide for transfer of Exclusive Teachers. The petitioner appeared in the said examination and successfully passed it. Thereafter, she was issued a provisional appointment letter bearing No. AUR/ADV-PR153/2024/ET(1-5)/1158686 dated 25.02.2025 by the District Education Officer, Aurangabad, pursuant to which she joined on 01.03.2025 as an Exclusive Teacher in her earlier school.

4. It is further submitted that the Education Department, Government of Bihar, issued a transfer policy for



teachers vide Memo No. 1729 dated 07.10.2024, wherein female teachers have been permitted transfer on the basis of the place of posting of their husbands. The petitioner submitted her application vide Application No. TRI-82990149 dated 13.09.2025 on the e-shikshakosh portal (Annexure-P/6). In her application, she clearly stated that her husband is working in Patna Sadar Urban Area and accordingly gave the same as her first choice. However, all five options exercised by the petitioner were ignored, and she was transferred vide Letter No. PATN/IDT/STL/2026/00372 dated 09.01.2026 to Secondary School, Khapura, Block–Paliganj, Nagar Panchayat–Lalganj Sehra, District Patna. Paliganj was not among the options given by the petitioner. The said school is approximately 55 km from the petitioner's residence and is situated in a rural area where commuting is difficult due to the lack of proper public transport facilities. The petitioner is also suffering from varicose veins, which makes it extremely difficult for her to travel 55 km each way (110 km daily) to discharge her duties. It is her case that a policy already exists to address such grievances, and her case may be considered in accordance with the said policy.

5. On the other hand, learned counsel for the State has no objection with regard to the submissions made by the



petitioner.

6. Considering the aforesaid facts and circumstances, Respondent Nos. 2, 3 and 5 are directed to consider the request for transfer made by the petitioner and to post her against any available vacancy from the five options given by her on the e-Shikshakosh portal. It is expected that the respondent authorities shall pass an appropriate order posting the petitioner at a place where a vacancy exists among the options exercised by her, within a period of four weeks from the date of receipt/production of a copy of this order.

7. The petitioner shall also be at liberty to place on record her medical condition, which is affecting her ability to attend classes at the school, where she is presently posted.

8. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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