

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8156 of 2026

Manita Kumari wife of Sanjay Kumar, Resident of Abhay Carbon Paper Industries Shivpuri, L.B.S. Nagar, P.S.- Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum-Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Primary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Gaya.
6. The District Programme Officer (Establishment), Gaya.
7. The Block Education Officer, Manpur, Gayaji, District- Gaya.
8. Ramesh Kumar, son of Ram Bilas Prasad, Resident of MOH, Godawari, Near Godawari Sarovar, P.O. Chand Chaura, P.S. Rampur, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary
For the Respondent/s : Mr.Government Pleader (6)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-06-2026 The instant writ application has been filed for the following relief/s:-

“1. (i) That the instant application is being filed for issuance of an appropriate writ/writs, order/orders, direction/directions in the nature of Mandamus for granting promotion to the petitioner on the post of Headmaster pursuant to the provisions of Bihar Panchayat Primary Teacher (Employment and Service Conditions), Rules, 2006 and 2012 wherein it has been provided that a Teacher possessing the prescribed qualifications and having work experience of 12 years from the date of appointment will be promoted



in the next pay scale (fixed for Graduate Trained Scale) and thereafter the said Teacher after five years of satisfactory service will be entitled for being appointed as Headmaster of Primary/Middle School based on prepared seniority list.

(ii) For issuance of an appropriate writ/writs, order/orders, direction/directions in the nature of Mandamus for commanding and directing the respondent authorities to dispose of the representation filed by the petitioner on 30.01.2026 whereby, and where under, the petitioner has requested the authorities to consider her case for promotion on the post of Headmaster.

(iii) For any other relief/reliefs for which the petitioner is entitled to.”

2. Counsel for the petitioner submits that the case of the petitioner for grant of graduate trained pay-scale and, as also, Headmaster for which appropriate representation has been filed strictly in consonance with the judgment dated 09.12.2024 rendered by the Co-ordinate Bench of this Court in CWJC No. 6391 of 2021 and further there being vacant post available with regard to 50% of promotional quota which, according to the petitioner, has till date not been filled up of the year to which the petitioner was entitled.

3. It is next submitted that the petitioner is still discharging the duty of Headmaster in the in-charge capacity and for unexplained reason, the case of the petitioner has not



been considered despite specific representation having been made for promotion on the post of Headmaster, which is appended with the writ petition as Annexure P/4.

4. On the other hand, counsel for the Sate submits that since the representation has already been filed by the petitioner and if the case of the petitioner is squarely covered in terms of the provisions of the statute being known as *Bihar Prarambhik Shikshak (Niyojan awam Seva Sharten), Niyamawali, 2012*, in such event, appropriate directions may be issued for consideration of his claim in accordance with law.

5. Considering the stand of the parties, this Court directs the petitioner to file a detailed representation referring to the representation filed before the Block Education Officer, Manpur, Gayaji within a period of three weeks from today before the District Education Officer, Gaya with all supportive materials which specifically mentions the judgment of the Co-ordinate Bench which squarely covers the case of the petitioner and, on filing of such representation, it is expected that the District Education Officer, Gaya will pass appropriate order by taking a conscious decision in reference to materials available on record within a further period of six weeks and if the claim of the petitioner is found justified, necessary orders shall be



passed and all such consequential benefits for which the petitioner is entitled shall also be extended in his favour within a further period of eight weeks.

6. With the aforementioned observations and direction, this writ petition stands disposed of.

(Ajit Kumar, J)

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