

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9766 of 2026

1. Dr. Kritanjay Choudhary, Son of Sri Onkar Nath Choudhary, Male, aged about 48 years, General Secretary, State Level Postgraduate plus 2 Teachers Organization, Resident of Hanuman Nagar, Katira, Ara, P.O.- Ara, P.S.- Nawada, District- Bhojpur, Presently working as Senior Secondary Teacher (Exclusive) at plus 2 High School, Sarathua, Bhojpur.
2. Arun Kumar, Son of Lakshman Chaudhary, Resident of Village- Guneri, P.O.- Kartahi, P.S. Gurua, District- Aurangabad, Presently working as Senior Secondary Teacher (Exclusive) at Rani Brajraj Senior Secondary School, Rafiganj, Aurangabad.
3. Dr. Ram Prawesh Singh, Son of Vishnudev Singh, Resident of Village- Senior Bhawanandpur, P.O.- Mashudanpur, P.S.- Balia, District- Begusarai, Presently working as Secondary Teacher (Exclusive) at Savitri plus 2 School, Ulao, Begusarai.
4. Ramesh Kumar, Son of Mahadeshwar Prasad, Resident of Village Haraiya, P.O. and P.S.- Haraiya, District- East Champaran, Presently working as Senior Secondary Teacher (Exclusive) at Shivshankar Singh plus 2 High School, Raghunathpur, East Champaran.
5. Dinesh Kumar, Son of Nilkanth Prasad, Resident of Village- Chapri, P.O.- Sherpur, P.S.- Sirdala, District- Nawada, Presently working as Senior Secondary Teacher (Exclusive) at Sarvodaya Inter School, Sughari, Govindpur, Nawada.
6. Suresh Prasad, Son of Vishwanath Prasad, Resident of Village and P.O.- Ratanpura, P.S.- Kuchaikote, District- Gopalganj, Presently working as Senior Secondary Teacher (Exclusive) at Mangal Singh Senior Secondary School, Ratanpura, Kuchaikote, Gopalganj.
7. Sudhakar Kumar, Son of Jivanand Kumar, Resident of Village- Dhruvganj, P.O. and P.S.- Kharik Bazar, District- Bhagalpur, Presently working as Senior Secondary Teacher (Exclusive) at Sri Sant Senior Secondary School, Ghogha, Bhagalpur.
8. Deepak Kumar, Son of Sri Parmatma Singh, Resident of Sadar, P.S.- Muzaffarpur Sadar, District- Muzaffarpur, Presently working as Senior Secondary Teacher (Exclusive) at M.R.S. Senior Secondary School, Maniyari, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, Govt. of Bihar, New Secretariat, Patna.
4. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
Mr. Prashant Kumar, Advocate
For the Respondent/s : Government Pleader (27)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioner and
learned counsel for the State.

2. The present writ application has been filed seeking a direction upon the respondents to determine the seniority of the petitioners vis-à-vis teachers working in Secondary Schools in view of their selection/appointment in higher/promotional cadres by counting the earlier service rendered in different Employment Units in terms of the Government decision. The petitioners have also sought a clarification/decision with regard to fixation of seniority where appointments have been made on the same calendar day in the forenoon (pre-lunch) and in the afternoon (post-lunch), along with other consequential reliefs.

3. It is the case of the petitioners that their seniority in the cadre of Assistant Teacher has not yet been determined despite representations having been filed before the competent authority. According to the petitioners, non-determination of their seniority has adversely affected their right to be considered for appointment/promotion to the higher post.



4. Learned counsel for the State submits that appropriate directions may be issued to the concerned District Education Officer to consider the grievance of the petitioners. It is further submitted that the petitioners may be directed to file fresh representations before the competent authority.

5. Considering the submissions of the parties, the petitioners are directed to file their respective representations before the concerned District Education Officer within a period of four weeks weeks from today. Upon receipt thereof, the District Education Officer shall place the matter before the competent Committee. The Committee shall, after inviting objections from all affected persons and after granting an opportunity of hearing, if required, determine the seniority of the petitioners in accordance with law within a period of eight weeks from the date of receipt of the representations.

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

(Ajit Kumar, J)

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