

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9950 of 2026

KM. Bindu D/o Binod Kumar Parajapati, Resident of -Dharampur, Prathmik Vidyalay, Patti Dharampur Post- Gaudauri District- Pratapgrah, Uttar Pradesh, Presently posted as School teacher (BPSC) at Primary School Chaundi Harijan Tola, District -Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, new Secretariat, Patna.
3. The Director. Primary Education, Govt. of Bihar, New Secretariat, Patna.
4. The District Education Officer, Kishanganj.
5. The District Programme Officer (Estab), Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Government Advocate (05)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-07-2026 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 quashing the Memo No.1533 dated 04.05.2026 by which request of the petitioner for transfer in any school under the district of Buxar has been rejected whereas the impugned letter itself says that in the second round of transfer posting of husband and wife was considered whereas in resolution contained in Memo No.1729 dated 07.10.2025 there is clear stipulation that transfer would be made on the basis of female teacher and also on ground of posting of her husband.

(ii) For directing the concerned respondents for transfer of the petitioner in any school under the district of Buxar which have been



*opted by the petitioner in view of resolution of the State Government contained in Memo No.1729 dated 07.10.2024 by which there is provision of transfer taking into account of female teacher on the ground of distance and posting of her husband at long distance.
(iii) For any other relief(s) for which the petitioner shall be found entitled under the facts and circumstances of the case.*

3. Learned counsel for the petitioner submits that the petitioner was appointed as Teacher at Primary School Chaundi Harijan Tola, District- Kishanganj and has been discharging her duties to the satisfaction of the authorities.

4. It is further submitted that the Education Department, Government of Bihar, issued a Transfer Policy vide Memo No. 1729 dated 07.10.2024, permitting teachers to seek transfer on special grounds. Pursuant to the said policy, the petitioner applied for transfer through the e-Shikshakosh portal and, in order of preference, opted for different blocks within the districts of Buxar, Kaimur and Rohtas. However, her application has not been considered appropriately as per the choices given. It is further submitted that the petitioner is presently posted at a place situated approximately 1,000 kilometres from her residence. Her husband is posted in Prayagraj District, Uttar Pradesh, and, therefore, she has sought transfer to the nearest district so that he may be able to assist her in view of her



medical condition and the treatment undergone by her, as referred to in paragraph-14 of the writ application. It is contended that since the State Government has already framed a policy to address such cases involving special circumstances, the petitioner's claim deserves to 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 fact that the petitioner had earlier approached this Court and, pursuant to the directions issued by the learned Single Judge, the representation filed by her has been adjudicated and her request for transfer has been rejected, this Court finds that the consideration required to be made by the authorities in terms of the policy framed by the State Government, as notified by the Education Department vide Memo No.1729 dated 07.10.2024, is not reflected in the impugned order. The impugned order merely reflects the reference with regard to the district and does not disclose any consideration of the vacancy position in the schools falling under the districts or the different blocks opted by the petitioner. From the impugned order, it also does not appear that the vacancy position as per the seniority in the different blocks



under the districts opted by the petitioner has been appropriately considered. Thus, it appears that no individual consideration has been given to the petitioner's case in terms of the policy.

7. In view of the foregoing discussions, the Memo No.1533 dated 04.05.2026 issued by the Director, Primary Education, Government of Bihar is set aside.

8. The Director, Primary Education, Government of Bihar, is directed to reconsider the request for transfer made by the petitioner and to post her against any available vacancy from amongst the options exercised by her. It is expected that the respondent authorities shall pass an appropriate order posting the petitioner at a place where a vacancy exists amongst the options exercised by her, within a period of six weeks from the date of receipt/production of a copy of this order.

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

(Ajit Kumar, J)

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