

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14140 of 2025

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Shagufta Khatoon D/o- Md. Neyaz Alam Khan Resident of Mohalla-
Salempur, Ward No.- 12, P.O. and P.S.- Barh, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Department of Education, Bihar, Patna.
2. The Addl. Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Additional State Project Director-cum- Incharge Centralized Monitoring Cell, Education Department, Bihar, Patna.
5. The District Education Officer, West Champaran at Bettiah.
6. The District Programme Officer (Estab.), West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the Respondent/s	:	Mr.Standing Counsel (20)
		Mr. Md. Zeeshan Kalim, AC to SC 20

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 19-01-2026

Heard the parties.

2. The petitioner was duly selected as a School Teacher under Teachers Recruitment Examination-II for the Class 11 and 12 (+2). After due counselling and verification of certificates, appointment letter was issued and she was posted at Government Upgraded High School, Pakuhwa East. The petitioner was also sent for training under Orientation and Exposure Programme by the respondent authorities. However, on account of some reasons beyond her control due to the fact



she was in family way, she could not submit her joining in the school within the period prescribed in the appointment letter. It is submitted that after recovery and improvement in her physical condition, she approached before the respondent District Programme Officer (Establishment) to allow her to join in the school in question where she was posted. The respondent District Programme Officer (Establishment) considering the grievance vide its memo No. 393 dated 17.05.2025 wrote a letter to the Additional State Project Director cum Incharge Centralized Monitory Cell, Education Department seeking guidelines and a sympathetic decision in the matter on account of the fact she was carrying pregnancy and was advised to bed rest at the relevant time. Hence, she could not join within the period stipulated.

3. Learned Advocate for the petitioner with all vehemence submits that the facts are admitted to the extent that she was in family way and because of the fact that she was carrying baby in her womb and was not in a good physical condition, unable to submit her joining within the period stipulated. In the aforesaid premise, the claim of the petitioner should be considered sympathetically taking note of various decisions rendered by the Apex Court, where the Court has



mandated that special privilege and protection should be given to the female candidate who is facing such a situation.

4. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that till date no final decision has been taken by the competent authority, this Court directs the Director, Secondary Education, Bihar, Patna to consider the claim of the petitioner with regard to her joining in the school where she was posted in pursuant to the letter dated 12.02.2024 (Annexure-P/1), preferably within a period of eight weeks from the date of receipt of production of a copy of this order, keeping in mind the extraordinary situation, which has precluded the petitioner from submitting her joining in the school in question.

5. This disposes the writ petition.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	20 .01.2026
Transmission Date	

