

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.64 of 2026

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Asmati Begam, W/o Md. Shahnawaz Ali, Resident of Village- B-25, Indrapuri Colony, Ashiyana Digha Road, P.O.- B.V.C. Campus, P.S.- Shastri Nagar, District- Patna, Bihar- 800014 posted Urdu Primary School, Chowk Shikarpur, Patna City, Anchal- Malsalami, District- Patna at present on deputation as Assistant Teacher Middle School Khajpura Patna Sadar, Block, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Bihar, New Secretariat, Patna.
3. District Education Officer, Patna.
4. District Programme Officer (Establishment), Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Md. Shahnawaz Ali, Adv.
For the Respondent/s : Mr. Kumar Alok, SC-7

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-01-2026 Heard the parties.

2. The petitioner has invoked the extraordinary writ jurisdiction of this Court seeking a direction upon the respondents-District Education Officer, Patna and the District Programme Officer (Establishment), Patna to consider the observation made by the Bihar Human Rights Commission passed under Memo No.155/2019/17845 dated 16.09.2019 as contained in Annexure-P/4 and take a final decision for posting of the petitioner in the Middle School, Khajpura as Assistant



Teacher, wherein she has been satisfactorily discharging her duty as Assistant Teacher on deputation since long.

3. The learned Advocate for the petitioner submitted that, taking note of the difficulties being faced by the petitioner, on her request she was allowed to continue as Assistant Teacher on deputation in the Middle School, Khajpura. Later on, other identically situated persons who were also posted in the said school on deputation, in their cases orders have been passed for their regular posting in the said school, but till date no final decision has been taken in the case of the petitioner; nonetheless she has been discharging her duty as Assistant Teacher on deputation for long. Moreover, only four years left for the petitioner in her superannuation from the post of Assistant Teacher, and as such he is seeking a sympathetic consideration from the concerned authorities.

4. Mr. Kumar Alok, the learned Advocate for the State, has submitted that the facts are admitted to the extent that the petitioner has been posted as an Assistant Teacher on deputation in the Middle School, Khajpura, and it is for the concerned authorities to consider the utilization of the petitioner in the case of the students and the school.

5. Having considered the submissions advanced by



the learned Advocate for the respective parties and taking note of the materials available on record, especially Annexures-P/3 and P/6 to the writ petition, the present application stands disposed off with a direction to respondent no.4, District Programme Officer (Establishment), Patna, to take a final decision in the matter of the petitioner, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order, keeping in mind Annexures-P/3 and P/6 to the writ petition.

6. This disposes the writ petition.

(Harish Kumar, J)

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