

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1110 of 2026

Amlesh Kumar Son of Late Bhola Prasad Sahu, Resident of Mohalla- Rajiv Nagar, Road No- 17, House No- C/30, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Secretary, Road Construction Department, Bihar, Patna.
4. The Deputy Secretary (Management Cell), Road Construction Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s	:	Mr. K.P. Gupta, GP-10
		Mr. Satya Vrat, AC to GP-10

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The petitioner has filed the instant application for the following relief (s) :-

“1. That by this application, the Petitioner is invoking the writ jurisdiction of this Hon'ble Court in the nature of Writ of Mandamus for directing the Respondents to consider for promotion to the post of Assistant Engineer against the vacancy of 2010-11 under AMIE or equivalent quota in pursuant to direction given in LPA No. 1761/2016 on 20.04.2024 by Division bench of this Hon'ble court comprising with Hon'ble Mr. Justice Ashutosh Kumar and Hon'ble Mr. Justice Abhishek Reddy in pursuant to remand order dated



26.09.2023 passed by Hon'ble Supreme Court in Civil Appeal No.6485/2023. ”

3. It is submitted by learned counsel for the petitioner that the case of the petitioner stands on a similar footing to that of the appellants of L.P.A no.1761 of 2016, which was decided by judgment dated 20.4.2024, relevant portion of which is quoted herein below for ready reference :-

“21. The Authority shall promote the Appellant/Original Writ petitioner from 04.09.2012 i.e., on the date on which the gradation list for the year 2009-2010 and 2010-2011 was published on 04.09.2012 where seven persons junior to the petitioner were promoted.”

4. It is submitted by learned counsel for the petitioner that the respondents be directed to decide the representation filed by the petitioner and to grant promotion as has been granted in the case of the appellants of L.P.A no.1761 of 2016.

5. Learned counsel for the respondents submits that no representation has been brought on record by the petitioner.

6. Having heard learned counsel for the parties, the writ application is disposed of directing the petitioner to file a representation before the Principal Secretary, Road Construction Department, Bihar (respondent no.2) within a period of two weeks, which shall be decided by the respondent concerned



within a period of six weeks from the date of its filing.

7. The respondent concerned shall take into consideration all the points raised by the petitioner in the representation including the aforesaid judgment dated 20.4.2024 passed in L.P.A no.1761 of 2016.

8. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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