

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8510 of 2026

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Haresh Kumar Rai Son of Late Anirudh Rai, resident of Mohalla- Basdewa Bhore, P.O. and P.S. Bhore, District - Gopalganj, presently working as Lower Division Clerk, Bhola Prasad Singh College, Bhore, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, Jai Prakash University, Chapra.
5. The Registrar, Jai Prakash University, Chapra.
6. The Finance Officer, Jai Prakash University, Chapra.
7. The Principal, Bhola Prasad Singh College, Bhore, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate Mr. Abhinav Shandilya, Advocate
For the Respondent/s	:	Mr. Government Advocate (03) Mr. Shiv Kumar, AC to GA-03
For the JPU	:	Mr. Chandan Kumar, Advocate Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*(1) For issuance of an appropriate writ in the
nature of MANDAMUS ,commanding and directing
the Respondent University to grant promotion to
the post of Upper Division Clerk on the ground
that the petitioner had already completed the*



Kalawadhi (time period) for promotion from the post of Lower Division Clerk to the post of Upper Division Clerk of eight years since he was appointed as Lower Division Clerk on 06.03.2010 as well as there are sanctioned and vacant post of Upper Division Clerk in the colleges falling under the Respondent University as also in Bhola Prasad Singh College, Bhore where the petitioner is working as a Lower Division Clerk.

(II) For issuance of any other appropriate writ/writs ,order/orders, direction/directions for which the writ 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 on compassionate grounds as a Lower Division Clerk in Bhola Prasad Singh College, Bhore, Gopalganj, in the pay scale of Rs.3050–4590. It is the petitioner's case that he has been serving on the post of Lower Division Clerk for the last 16 years. Although the promotional posts of Upper Division Clerk are lying vacant and the petitioner became eligible for promotion after completion of 8 years of service, his case for promotion has not been considered till date. It is further submitted that, for unexplained reasons, despite having acquired the requisite eligibility, due consideration for promotion has not been accorded to the petitioner for the last 8 years.

4. On the other hand, learned counsel for the



University submits that there is already a representation filed by this petitioner which may be directed to disposed of in accordance with law.

5. Considering the stand taken by the parties, this Court directs the authorities to consider the case of the petitioner for grant of promotion on Upper Division Clerk in accordance with law by placing the case of this petitioner and other similarly situated persons before the promotional committee and on finding appropriate recommendation, the promotion of this petitioner and other eligible persons shall also be notified within a period of three months from today.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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