

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8627 of 2025**

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Amrendra Mohan Das Son of Late Lalit Narayan Das Resident of Village-  
Hanuman Nagar, P.S.- Raghapur, P.O.-Haripur Via-Siyaram Rhaghopur,  
District-Supaul, PIn Code- 852111.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,  
Government of Bihar, Main Secretariat, Patna.
2. The Joint Secretary, Education Department, Government of Bihar, Main  
Secretariat, Patna.
3. The Regional Deputy Director of Education, Koshi Paramandi, Saharsha,  
District-Saharsha.
4. The Distirect Education Officer, Saharsa.
5. The Distirect Education Officer, Supaul.
6. The District Education Officer, Madhepura.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                 |
|----------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s | : | Ms.Shilpi Keshri, Advocate                                      |
| For the State        | : | Mr. Rajesh Kumar Singh, GA-10<br>Mr. Jitendra Kumar, AC to GA10 |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL JUDGMENT**

**Date : 27-04-2026**

Heard learned counsel appearing for the petitioner and  
  
learned counsel appearing for the State.

2. The present writ petition has been filed for grant of  
  
promotion to the petitioner.

3. Learned counsel appearing for the petitioner  
  
submits that the petitioner is entitled to promotion with  
  
effect from 18.03.1996, and in this regard, he has already  
  
filed a representation dated 04.01.2025, as contained in  
  
Annexure P/12 to the writ petition.



4. On the other hand, learned counsel for the State submits that grant of promotion takes effect from the date it is actually granted and not from the date when a vacancy arises on the concerned post or when the post itself is created. It is further submitted that this position has consistently been upheld by the Hon'ble Supreme Court as well as the Hon'ble Patna High Court. Learned counsel further submits that since the petitioner has already been granted conditional promotion (subject to the outcome of S.L.P. No. 29770 of 2015) vide Memo No. 1026 dated 13.06.2017, the petitioner's claim for retrospective promotion with effect from 18.03.1996 is misconceived.

5. In reply, learned counsel for the petitioner submits that a detailed representation has already been filed by the petitioner, as contained in Annexure P/12 to the writ petition, and the issues raised therein have not been adequately addressed in the counter affidavit.

6. In the aforesaid background, respondent no. 3, namely, the Regional Deputy Director of Education, Koshi Pramandal, Saharsa, is directed to consider the representation dated 04.01.2025, as contained in Annexure



P/12 to the writ petition, by passing a reasoned and speaking order within a period of 90 days from the date of receipt/production of a copy of this order.

7. With the aforesaid observation and direction, the writ petition stands disposed off.

**(Dr. Anshuman, J)**

Ashwini/-

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|-------------------|------------|
| AFR/NAFR          |            |
| CAV DATE          | NA         |
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