

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7327 of 2025

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Satish Kumar Singh Son of Akhileshwar Singh, Resident of Village and Post-
Amsari, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health,
New Secretariat, Patna
2. Project Director, Bihar State Aids Control Society, (Health Department,
Govt. of Bihar), Sheikhpura, Patna-800014.
3. Additional Project Director, Bihar State Aids Control Society Patna-800014.
4. The Dy. Director (VCTC) Bihar State AIDS Control Society, Health
Department Government of Bihar, Sheikhpura, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Shukla, Advocate
For the State	:	Mr. Rajeshwar Singh (GA-10)
		Mr. Pramendra Kumar Singh (AC to GA-10)
For the BSACS	:	Mr. Prince Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 16-06-2026

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Bihar State
AIDS Control Society (B.S.A.C.S.).

2. The present writ petition has been filed for
issuance of writ of mandamus, directing/commanding the
concerned respondents to accept the joining on the post of Lab
Technician in Lok Nayak Jai Prakash Blood Bank (Mohania)
previously known as VCTC (Voluntary Counseling Testing
Centre). Further prayer has been made to clear the outstanding
dues towards monthly perks and salary.

3. Learned counsel for petitioner submits that the



petitioner was appointed on the post of Lab Technician and the appointment letter has been issued *vide* Letter no. 248 dated 09.02.2003. His joining was accepted on the said post on 15.02.2003 and his service was extended time to time upto 2012. Counsel submits that the petitioner was selected as General Secretary of Bihar State AIDS Control Society Employees Association, but on the ground that he has appeared in the demonstration, FIR namely Shastri Nagar P.S. Case No. 241 of 2011 has been filed against him by the authorities which was subsequently numbered as Shastri Nagar P.S. Case No. 241 of 2011/G.R. No. 3582/2011. Counsel submits that the petitioner was acquitted in the said case *vide* order dated 29.08.2016. Counsel further submits that the other employee of the same society was working on contractual basis whose salary was stopped moved before this Hon'ble Court in C.W.J.C. No. 3919 of 2013 (Vimal Prakash & Ors. Vs. The State of Bihar & Ors.) which was allowed in their favour *vide* order dated 15.07.2013 (annexed as Annexure- P/3). Thereafter, the State has preferred Letters Patent Appeal bearing LPA No. 1150 of 2013 which was dismissed *vide* order dated 12.01.2015 (annexed as Annexure- P/4). Counsel submits that the case was not proved only with a view to participation in a democratic demonstration and the petitioner became the scapegoat and a criminal case has been



filed against him, but in the said case, he has been acquitted. Counsel submits that the petitioner has filed several representation but on his representation (Annexure-P/5 series), no decision has been taken and thereafter, he has preferred the present writ petition.

4. Learned counsel appearing for the Bihar State AIDS Control Society (B.S.A.C.S.), on the other hand, submits that the petitioner was a contractual employee which is apparent from his appointment letter and he was initially engaged for one year but his contract was extended time to time. He submits that admittedly, after filing of a criminal case against him, his service was not extended. He further submits that it is true that the petitioner was acquitted in the year 2016, but he moved before this Hon'ble Court only after 10 years and the delay has not been explained and therefore, on this ground alone, this writ petition may be dismissed. He further categorically submits that on the petitioner's representation, decision has been taken which is annexed as Annexure-A series in which, it is indicated that due to end of contract period of more than five years, the extension of the contract is not permissible.

5. After hearing the parties and upon perusal of the judgment passed in the criminal case, it transpires that the petitioner was General Secretary of the Bihar State AIDS



Control Employee Union, Patna and due to political reason, his name was involved in the criminal case with a view to show demonstration against the society. It also transpires to this Court that the petitioner has filed several representation after acquittal in the year 2016.

6. This Court upon going through the judgment realized that in a democratic setup, it is the right of the people to represent but only due to the reason that he was General Secretary and made demonstration against the society, a criminal case was filed but the said case was resulted into acquittal of the petitioner.

7. This Court is not satisfied with the decision which is annexed as Annexure-A series i.e. non-extension of service is due to pendency of the criminal case filed by the society which was never been proved in the Court in which, petitioner has been acquitted. It transpires to this Court that filing of the case was *mala fide* on this ground and the petitioner was deprived from extension of his service.

8. As such, the decision made in Annexure-A series of the counter affidavit is hereby directed to be ignored and the said decision of the society is not acceptable to the Court. The Petitioner is directed to file a fresh representation before the Project Director, Bihar State Aids Control Society, (Health



Department, Govt. of Bihar), Sheikhpura, Patna (Respondent no. 2) in which he shall explain the entire situation afresh and the Respondent no. 2 shall consider the mode of the work and services which the petitioner has conducted for the society ignoring his political activities. If it is found that he is a good and dedicated employee and his services shall be useful for the society then his contract is directed to be extended. If not, then the Respondent no. 2 shall pass a reasoned and speaking order on the petitioner’s representation within 90 days from the date of production of a copy of this order. Till such time, no other person shall be appointed to the post on which the petitioner was working, if no other person has been appointed in his place.

9. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	18/06/2026
Transmission Date	NA

