

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4627 of 2015

- =====
1. Md. Hasar Mizan Ansari @ Hashar Meezan, Son of Mohiuddin, Resident of village- Daula, Post- Manaura, P.S.+ District- Kishanganj.
 2. Md. Anzar Danish, Son of Rizwan, resident of mohalla- Gulab Basti, P.O.+P.S.+Dist.- Kishanganj.
 3. Abdul Malik, Son of Md. Yunus, Resident of near M.G.M. Medical College, P.O.+P.S.+Dist.- Kishanganj.
 4. Ajay Kumar Paswan, Son of Late Mukhlal Paswan, Resident of Moh.- Pachhim Pali, P.O. + P.S. + District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. The Secretary, Personnel and Administrative Reforms Department, Bihar Patna.
3. The Commissioner, Purnea Division, Purnea.
4. The District Magistrate/ Collector, Kishanganj, Bihar.
5. The Dy. Development commissioner, Kishanganj, Bihar.
6. The Establishment Dy. Collector, Kishanganj, Bihar.
7. The District Welfare Officer, Kishanganj, Bihar.
8. The Additional Collector, Kishanganj, Bihar.
9. The Dy. Collector, District District Nazarat Kishanganj, Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Respondent/s : Mr. P.N. SHAHI- AAG10

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-03-2015

A K Tripathi, J.

There was a very clear and specific order of the Division Bench, which is contained in Annexure-4. The relevant and significant aspect of the said decision of the Division Bench is reproduced herein below:

“The writ petition will be heard and decided by the learned single Judge on merits after the writ petitioners implead all the affected persons as party respondents.”

2. Despite such a direction, one of the petitioners approached the High Court in a writ application and instead of insisting on the direction of the Division

Bench being followed, the petitioner expressed helplessness in abiding by the direction of the Division Bench. A learned single Judge has innovated by allowing the petitioner to move by filing a representation.

3. If there was no Division Bench direction on the identical matter, this Court would have had no problem in taking the same view contained in Annexure-5 but innovation is not the duty of the Court especially when there is a judicial directive by a Division Bench.

4. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

U			
---	--	--	--