

Court No. - 33

Case :- WRIT - A No. - 18342 of 2023

Petitioner :- Santosh Sharma

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rajesh Kumar Pandey

Counsel for Respondent :- CSC, Pradeep Kumar Tripathi, Ravi Prakash Pandey

Hon'ble J.J. Munir, J.

Heard learned Counsel for the petitioner at great length in support of the petition, Mr. Pradeep Kumar Tripathi, learned Counsel appearing on behalf of respondent nos. 2 to 4 and Ms. Monika Arya, learned Additional Chief Standing Counsel on behalf of the State.

Learned Counsel for the petitioner has very fairly informed the Court that an earlier writ petition had been preferred for the same relief being Writ-A No. 14794 of 2020, which was dismissed as withdrawn *vide* order dated 27.01.2021. He says that it was on account of mistake of Counsel that liberty in the earlier writ petition to file afresh was not sought. He prays, therefore, that this writ petition be entertained and heard.

Once a writ petition on the same cause of action *inter partes* has been withdrawn without liberty, it is not possible to entertain a second petition on the same cause.

This petition is, accordingly, **dismissed as not maintainable.**

Order Date :- 1.11.2023

Vijay