

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2368/2014

Smt. Yashodhara wd/o Nitin Nagdeve Vs. Chief Engineer, Vidyut Bhavan,
M.S.E.D.C.L. Nagpur and others.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Shri S. S. Shirsat, Advocate for the petitioner.

Shri S. V. Purohit, Advocate for the respondent nos. 1
to 3

Shri A.P. Chaware, Advocate for the respondent nos. 4
& 5.

CORAM : SMT. VASANTI A. NAIK &
A.M. BADAR , JJ.

DATED : APRIL 06, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent nos.1 to 3 to provide employment to the petitioner on compassionate ground on any Class-III or Class-IV post. The petitioner has challenged the refusal on the part of the respondent nos.1 to 3 in granting appointment to the petitioner on compassionate ground.

Shri S.V. Purohit, the learned counsel for the respondent nos.1 to 3, raises a preliminary objection to the tenability of the Writ Petition. It is stated that the petitioner had earlier filed Writ Petition No.5322/2013 seeking the same relief

against the respondent nos.1 to 3. It is stated that the said Writ Petition filed by the petitioner was dismissed by an order dated 6.3.2014 and the instant petition is barred by the principles akin to the principles of res judicata.

On hearing the learned counsel for the parties, we up-hold the preliminary objection raised on behalf of the respondent nos. 1 to 3 in regard to the tenability of the petition. The petitioner had filed Writ Petition No.5322/2013 seeking almost identical relief and the said Writ Petition was dismissed by the order dated 6th March, 2014. The petitioner is, therefore, precluded from filing the instant petition.

Since the second Writ Petition is not maintainable after the dismissal of the previous one in view of the settled principles of law, the Writ Petition is dismissed with no order as to costs.

JUDGE

JUDGE

Ambulkar