

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

WRIT PETITION NO. 4642/2014.

Smita Shridhar Ranade

-VERSUS-

Secondary Education Society, Sakoli and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.R. Patil, Advocate for the Petitioner.

Shri M.M. Sudame, Advocate for the Respondent Nos. 1 & 2

Shri A.S. Fulzele, Addl. G.P. for the Respondent nos. 3 to 5.

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

DATE : JULY 29, 2015.

The petitioner has made two prayers in the petition. By the first prayer, the petitioner has sought a direction to the respondent nos. 3 to 5 to pay interest at 12% p.a., as directed by this Court, by the order dated 06.04.2010 in Writ Petition No. 4287/2009, on the delayed payment of Rs.29,000/-. By the second prayer, the petitioner seeks a direction to the respondents to grant benefit of selection grade to the petitioner from 01.08.2009, till date.

None of the above prayers made by the petitioner could be granted. The first prayer cannot be granted in this petition as the first prayer already stands granted by the judgment dated 06.04.2010.

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While partly allowing Writ Petition No. 4287/2009, this Court had directed the respondents to pay 12% interest on the delayed payment of Rs. 29,000/-. If the said amount is not paid by the respondents to the petitioner, despite the directions in the judgment dated 06.04.2010, the petitioner has other remedies. It is well settled that successive petitions cannot be filed for seeking a relief, that is already granted.

The second prayer also cannot be granted, as the petitioner could have made the said prayer in the said Writ Petition No. 4287/2009, that was decided on 06.04.2010. The petitioner has sought the benefit of selection grade from 01.08.2009. If that is so, the petitioner could have made the said prayer in Writ Petition No. 4287/2009, that was decided on 06.04.2010. The petitioner cannot make the second prayer in this petition in view of the principles akin to the principles of constructive res-judicata.

In view of the aforesaid, the Writ Petition is dismissed with no order as to costs.

JUDGE**JUDGE**

Rgd.