

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.119

CWP No.16354 of 2015

Date of decision: 27.08.2015

Rajesh Kumar

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.K. Bhardwaj, Advocate
for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

It is not disputed that for the same cause of action as raised in the present petition, the petitioner had earlier approached this Court in **CWP No.6590 of 2015** titled as '**Rajesh Kumar versus State of Haryana and others**', in which the following order was passed:-

“After arguing for some time, learned counsel for the petitioner seeks permission of this Court to withdraw the present writ petition.

In view of the aforesaid statement made by learned counsel for the petitioner, the present writ petition is ordered to be dismissed as withdrawn.”

From the above order, it is clear that earlier petition which had been filed by the petitioner on the same cause of action had been withdrawn unconditionally.

Thereafter, the petitioner sought review of the above reproduced order through a review application being **RA No.308 of 2015** in **CWP No.6590 of 2015** titled as '**Rajesh Kumar versus State of Haryana and others**'. This review application was dismissed as withdrawn on 03.08.2015.

In view of the fact that for the same cause of action, the petitioner had earlier approached this Court and had withdrawn the writ petition and the review application seeking review of the order of withdrawal of the writ petition was also withdrawn, the present writ petition is clearly not maintainable.

It may further be noticed that the orders passed in the writ petition filed earlier and the review application referred to above were neither appended nor reproduced when the writ petition was initially filed. It was only when on 10.08.2015, this fact was pointed out, learned counsel for the petitioner prayed for time to place on record those orders.

In view of the above facts, the present writ petition deserves to be dismissed and is ordered as such.

(DEEPAK SIBAL)
JUDGE

August 27, 2015
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