

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition No.2874 of 2004

Gouri Shankar Sinha, aged about 59 years, S/o Late Shri Akshai Kumar Sinha, Retired Deputy Director, Fisheries, District Durg (CG)
---- Petitioner

Versus

1. The State of Chhattisgarh, through the Secretary, Department of Fisheries, Dau Kalyan Singh Bhawan, Raipur, Chhattisgarh.
2. The Director, Directorate Raipur (Chhattisgarh)
3. Additional Secretary, Fisheries, D.K.S. Bhawan, Mantralay, Raipur (CG)
4. The Collector, Jagdalpur (C.G.)

---- Respondents

For Petitioner: Mr. Pawan Kesharwani, Advocate.
For State/Respondents: Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/12/2016

1. The petitioner had challenged the order dated 12-3-1999 in O.A. No.869/1999 before the State Administrative Tribunal, Bench at Raipur, later-on transferred to this Court and numbered as W.P.(S) No.3060/2005 which was dismissed for want of prosecution on 24-4-2012. During the pendency of the first writ petition i.e. W.P.(S) No.3060/2005, the petitioner has filed second writ petition i.e. the instant writ petition namely W.P.No.2874/2004 challenging the order dated 12-3-1999. The first substantive writ petition has been dismissed for want of prosecution therefore, the petitioner is challenging the order dated 12-3-1999, which was the subject

matter of the first writ petition also, in the instant writ petition and the second writ petition on the same cause of action is not maintainable. The petitioner cannot be allowed to maintain two writ petitions on one cause of action.

2. Accordingly, this writ petition is dismissed as not maintainable. However, the petitioner is at liberty to proceed in accordance with law. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma