

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(S) No. 858 of 2016**

Raghuraj Prasad Mishra S/o late Shri Keshav Prasad Mishra, aged about 67 years, R/o Village & Post Devbalouda, District Durg (CG)

---- **Petitioner****Versus**

1. Pt. Ravi Shanker Shukla University, Raipur through its Vice Chancellor, Amanaka Raipur, District Raipur (CG)
2. The Registrar, Pt. Ravi Shanker Shukla University, Raipur (CG)

---- **Respondents**

For Petitioner	:	Shri K. P. S. Gandhi, Advocate
For Respondents	:	Shri Ashish Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****21/03/2016**

The petitioner through the present writ petition is challenging his alleged premature retirement and seeks for setting aside the order dated 17.02.2010 and also for quashing of the order dated 27.01.2005.

2. On perusal of the record would show that earlier the petitioner who stood retired w.e.f. 21.12.2000 vide order dated 27.01.2005 had challenged the order dated 27.1.2005 in W.P. No. 544 of 2005. However, on 10.11.2009 the petitioner unconditionally without reserving any liberty in his favour prayed for withdrawing the said writ petition which as prayed for accordingly stood dismissed as withdrawn vide order dated 10.11.2009.

3. Now after more than 7 years, the petitioner cannot be permitted to re-agitate on the same issue before this Court by filing a fresh writ petition and the said writ petition is hit of principles of constructive res judicata.

4. Thus, the present writ petition being not sustainable deserves to be and is accordingly dismissed.

Sd/-

(P Sam Koshy)
Judge

Bhola