NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4424 of 2013

Santosh Kumar Mishra S/o Late Shri Uma Shankar Mishra, aged about 45 years, R/o Village Podi-Uprora, Katghora, PS Podi-Uprora, Civil and Revenue Distt. Korba, C.G.

---- Petitioner

Versus

1. State of Chhattisgarh through Secretary, School Education Department, Mantralaya, Secretariat, New Raipur, Police Station and Post Rakhi, Civil And Revenue Distt. Raipur, C.G. Pin 492002
2. Collector (Tribal Development), Office of the Collector (Tribal Development) Korba, Distt. Korba, C.G.
3. Commissioner, Tribal Development C.G., Raipur (C.G.)
4. Assistant Commissioner, Tribal Development C.G. Bilaspur
5. District Education Office,r Distt. Korba, C.G.
6. Block Education Officer, Podi-Uproda, Katghora, Distt. Korba, C.G.
7. Chief Executive Officer, Janpand Panchayat, Podi-Uproda, Katghora, Distt. Korba, C.G.

---- Respondents

For Petitioner : Shri U. R. Koshaley, Advocate
For Respondents/State : Smt. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board By

15.01.2016

The present writ petition has been filed seeking for grant of compassionate appointment on account of the death of the deceased employee, father of the petitioner, in the year 1994.

2. A perusal of the record shows that earlier also the petitioner had filed a writ petition for the same cause of action registered as W.P. No.6018 of 2006 which was dismissed as withdrawn at the instruction of the petitioner on 06.11.2006.

3. Once the first writ petition seeking compassionate appointment having been withdrawn by the petitioner unconditionally on 06.11.2006, in the opinion of this Court, the second writ petition for the same cause of action would not be maintainable. The petitioner had not sought for any liberty for filing a fresh writ petition nor any such liberty was granted by this Court while dismissing the said petition.

4. Accordingly, the present writ petition in its present form being not maintainable is dismissed.

Sd/-
P. Sam Koshy
Judge

Bhola