

CWP No.27914 of 2013
Date of Decision: 03.05.2016

Suresh Kumar Gupta

.... Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Suram Singh Rana, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

DEEPAK SIBAL J. (ORAL)

The petitioner had earlier approached this Court through **CWP No.16416 of 1996** titled as "**Suresh Kumar Gupta Vs. State of Haryana and others**" which was allowed on 12.10.2012 by holding as under:

"The order dated 21.02.1992 (Annexure P-11) of supersession of petitioner is set aside and the matter of regularization of services of petitioner as Sub Divisional Engineer be reconsidered de hors the non-existence of the service record for almost the complete length of the relevant terms as Sub Divisional Engineer. On passing of such an order the case of petitioner would then be considered for grant of senior scale and selection grade as per the instructions and to pay him the arrears of salary and pensionary benefits accordingly. The needful be done within a period of three months, from the date of receipt of a certified copy of this order, failing which interest @ 8% per annum shall be payable on the delayed payment from the date of this order."

A perusal of the afore quoted order shows that on delayed release of retiral and other dues of the petitioner, he was granted interest @ 8% per annum.

The present petition has been filed for claiming interest on delayed release of retiral and other dues of the petitioner @ of 18% per annum.

Once the issue as raised in the present petition already stands finally decided in an earlier petition filed by the petitioner, a second petition on the same cause would not lie.

When confronted with the above, learned counsel for the petitioner drew a blank and sought to withdraw the present petition.

Dismissed as withdrawn.

(DEEPAK SIBAL)
JUDGE

May 03, 2016
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