

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO.173/2017

(PRADEEP MURLIDHARSINGH THAKUR (IN JAIL) **VERSUS** THE SUPERINTENDENT, CENTRAL PRISON, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Sneha S. Dhote, Appointed Counsel for the petitioner.
Shri A.M. Deshpande, A.P.P. for the respondent.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 23, 2017.

By this criminal writ petition, the petitioner has sought a declaration that the action on the part of the respondents of imposing the punishment, by the order dated 04.09.2015 is bad in law.

Shri Deshpande, the learned Additional Public Prosecutor appearing for the respondent, states that the petitioner has abused the process of the Court by filing this petition in respect of the same cause. It is stated that the petitioner had earlier filed Criminal Writ Petition No.185 of 2016 challenging the same order that is challenged in the instant petition and the said petition was dismissed. It is submitted that a part of the order was again challenged by the petitioner in Criminal Writ Petition No.212 of 2017 and the same was also dismissed.

It appears that the petitioner is vexing the Court by agitating the same issue time and again before this Court, though the earlier petitions filed by the petitioner have been dismissed. The present petition would be barred by the principles of *res-judicata*. A party cannot be permitted to vex

the Court time and again in respect of the same cause of action.

Hence, we dismiss the writ petition.

The professional fees of the learned counsel for the petitioner are quantified at Rs.1,500/-.

Order accordingly.

JUDGE

JUDGE

APTE