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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5533/2017**

VIJAY KUMAR Petitioner
Through Mr. S.P. Singh Rathore, Advocate.

versus

UNION OF INDIA AND ORS. Respondents
Through Mr. Anil Soni, CGSC & Mr. Naginder
Benipal, Advocate for respondent Nos. 1 and 2.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE NAVIN CHAWLA

% **ORDER**
07.07.2017

CM No. 23254/2017

Exemption application is allowed, subject to all just exceptions.

W.P.(C) No. 5533/2017

This writ petition is not maintainable and hit by the principles of *res judicata*.

2. The petitioner, who was appointed as Constable in Border Security Force in November, 2000, was dismissed from service vide order dated 10th April, 2003. The petitioner had earlier challenged this order and the appellate orders in Writ Petition (C) No. 16560/2004. By judgment dated 19th May, 2014, the said writ petition was dismissed and the order of dismissal was affirmed.

3. The petitioner had filed Special Leave to Appeal, which was dismissed after condoning delay by the Supreme Court vide order dated 8th December, 2014. Application for review was also dismissed vide order dated 3rd November, 2015. Curative petition was dismissed by the Supreme Court vide order dated 16th November, 2016.

4. The petitioner has now filed the present writ petition for the same relief and on the same cause of action impugning the order of dismissal and the appellate orders. The writ petition is clearly hit by the principles of *res judicata* and is not maintainable. It is accordingly dismissed.

SANJIV KHANNA, J.

NAVIN CHAWLA, J.

JULY 07, 2017
VKR