

HIGH COURT OF CHHATTISGARH AT BILASPURWRIT PETITION (S) NO. 3348 OF 2018

Radhe Shyam Kant, S/o Shri Sattam Ram Kant, aged about 33 years, R/o Ambikapur Road, near Barrier, Patthalgaon, Civil & Rev. Distt. Jashpur (C.G.) ... **Petitioner**

versus

1. State of Chhattisgarh, through Secretary, Public Health and Family Welfare Department, Mahanadi Bhavan, New Raipur, District Raipur (C.G.)
2. Director, Public Health And Family Welfare Department, Indrawati Bhavan, Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Jashpur, District Jashpur (C.G.)
4. Collector, Jashpur, District Jashpur Chhattisgarh.
5. Block Medical Officer, Bagicha, District Jashpur Chhattisgarh.
6. The Station House Officer, Police Station Jashpur, District Jashpur (C.G)

... **Respondents**

For Petitioner	:	Mr. Hemant Kesharwani, Advocate.
For Respondent-State	:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/04/2018

1. The relief sought for by the Petitioner in the present writ petition is for a direction to the Respondents for reconsideration of his order of suspension, particularly the same having been issued more than two years back.
2. Perusal of record shows that the Petitioner had already filed a writ petition for the same cause of action, i.e., Writ Petition (S) No. 7316 of 2017, and which has already been disposed by this Court on 2.1.2018 directing the Respondents to decide the representation of the Petitioner expeditiously.
3. The present writ petition has now been filed for the same cause of action and on the same grounds.
4. This Court is of the opinion that the second writ petition for the same cause of action would not be maintainable, particularly when the earlier writ petition has been disposed of with a direction to the Respondents.
5. If for any reason the Respondents do not complied with the order dated 2.1.2018, the only recourse available to the Petitioner would be perhaps for initiating contempt proceedings against those who have not complied with the order.

6. Reserving the right of the Petitioner to avail the said remedy available to him, the present writ petition in its present form is not maintainable.
7. The present writ petition is accordingly dismissed being not maintainable.

Sd/-
(P. Sam Koshy)
Judge

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