

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 95 of 2017**

Kalyan Singh S/o Late Dharampal Singh, Aged About 25 Years R/o Village Banjaridad, Thana And Tahsil Khadgawa, Civil And Revenue District Koriya Chhattisgarh.

---- Appellant**Versus**

1. South Eastern Coalfields Ltd Through Its Chairman-Cum- Managing Director, Seepat Road, Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
2. Deputy Chief Personal Manager, Chirmiri Area, Chirmiri, Civil And Revenue District Koriya Chhattisgarh.
3. Senior Personnel Officer, Dumanhill Group, Chirmiri, Civil And Revenue District Koriya Chhattisgarh.

---- Respondents

For Appellants	:	Shri Punit Ruparel, Advocate.
For Respondent/SECL	:	Shri Vaibhav Shukla, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**20/02/2019****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard counsel for the parties.
2. Writ application of the present Appellant was dismissed by the learned Single Judge on 27.01.2017 on the ground that for identical relief, he had earlier moved the writ Court in Writ Petition (S) No.4239 of 2011, in which, a direction was issued upon the Respondent-Coal Company to consider his claim for compassionate appointment/dependent employment.
3. Since there was no decision taken by the Respondents, a second writ application came to be filed. The writ Court dismissed that writ application saying

that for identical relief and cause of action, a second writ would not be entertainable, however, the Appellant had freedom to move against the said authorities for non-compliance of the order.

4. The appeal has now been preferred against the said decision of the learned Single Judge dismissing the second writ application for the reasons noted in the earlier part of the order.

5. The view so taken by the learned Single Judge with regard to maintainability of the second writ application cannot be said to be erroneous. Therefore, the appeal has no merit, it is dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE