

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5167 of 2016

1. Bhojraj Choudhary S/o Shri Gaiunduram Choudhary, Aged About 55 Years Occupation Upper Division Teacher At Government Kissan Higher Secondary School, Karamtara, Rajnandgaon, Distirct Rajnandgaon Chhattisgarh, Chhattisgarh
2. Muksudan Lal Verma, S/o Shri Tekhuram Verma, Aged About 49 Years Occupation Upper Division Teacher At Government Kissan Higher Secondary School Karamtara, Rajnandgaon, Distirct Rajnandgaon Chhattisarh, District : Rajnandgaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Bhawan, New Mantralaya District Raipur Chhattisgarh, Chhattisgarh
2. The Director, Public Instruction Indrawati Bhawan, New Mantralaya District Raipur Chhattisarh, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rajesh Kumar Kesharwani, Advocate
Respondents	:	Mr. Amit Buxy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

15.12.2021

1. These two petitioners have filed the writ petitions seeking absorption in the department of School Education Department. When the matter is taken up for hearing on admission, learned State counsel would point out that earlier the petitioner has filed the writ petition bearing WP. No. 26622 /2001 before this Court which was dismissed against which the petitioners preferred Writ Appeal Nos. 92 of 2008 and 93 of 2008 which were also dismissed on 09.12.2011 against which the petitioners have preferred SLP before

Hon'ble Supreme Court, the said SLP was also dismissed.

2. The petitioners have also stated in paragraph 8.14 to 8.16 as under:-

8.14- That, previously the petitioners were filed a writ petition for seeking absorption bearing W.P. No. 2622/2001, but the instant writ petition has been rejected by the Hon'ble High Court vide order dated 20.07.2006.

8.15- That, against which the petitioners have filed writ appeal before the Hon'ble Division Bench of this Hon'ble Court bearing W.A No. 93/2008, but the same was also been dismissed vide order dated 09.12.2011. Copy of order dated 09.12.2011 is filed herewith as Annexure P-12.

8.16- That thereafter the petitioners were approached the Hon'ble Supreme Court of India by instituting the Special Leave Petition, but the same was also been dismissed by the Hon'ble Supreme Court of India.

3. Since question of petitioners' absorption has already been considered in a writ petition filed before this Court, which was dismissed against which the petitioners have preferred Writ Appeal which was also dismissed on 09.12.2011 and SLP preferred by the petitioners before Hon'ble Supreme Court, has also been dismissed, nothing survive in the writ petition for consideration and this petition is hit by principle of constructive res judicata and is accordingly dismissed. No order as to costs.

SD/-

(Sanjay K. Agrawal)
Judge