

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4910 OF 2020**

- H.N. Verma, S/o Late Mahaveer Mahto, aged about 77 years, R/o Ward No.6, Maharana Pratap Ward, North Ring Road, Kedarpur, Ambikapur, Distt. Surguja (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Department of Agriculture, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. Director, Agriculture, Krishi Vikas Bhawan, First Floor, Atal Nagar, Nawa Raipur, District Raipur (CG)
3. Sub Divisional Officer (Agriculture), Lormi, District Mungeli (CG)

... Respondents

For Petitioner	:	Mr. Uttam Pandey, Advocate.
For Respondents/State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/01/2021**

1. Present is a Writ Petition filed by the Petitioner claiming for certain pensionary and retiral benefits on parity with some other employees similarly placed.
2. Perusal of the pleadings would show that the matter was already agitated before this Court and this Court has already dismissed the Writ Petition and the order of dismissal of Writ Petition was tested before the Writ Appellate Court as also before the Supreme Court and in both the occasions the Petitioner was unsuccessful.
3. Given the fact that the matter has already laid to rest and which stands affirmed by the Division Bench as also by the Supreme Court, the subsequent Writ Petition on merits for the same cause of action would not be maintainable, though the Petitioner submits that the decisions of the Supreme Court and the Division Bench were not on the merits of the case and as such the claim of the Petitioner has till date not been decided on merits.
4. The fact which still remains undisputed is that the matter was agitated before the High Court and travelled up to the Supreme Court where there has been no order in favour of the Petitioner. Given the fact that another Writ Petition for the same cause of action and for the same relief would be hit by the doctrine of *res judicata*, and as such the same would not be maintainable.

5. Accordingly, the present Writ Petition is dismissed. However, the dismissal of the present Writ Petition would not preclude the Petitioner in approaching the authorities on the administrative side and trying to ventilate his grievances.

6. Writ Petition accordingly stands dismissed.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE