

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5249 of 2020**

Shantanu Karmakar Son Late S.K. Karmakar Aged About 54 Years R/o- G-2, Mandi Road, Informant Of Icici Bank, Dist. Jagdalpur (Chhattisgarh),
District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Higher Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur (Chhattisgarh)
2. Commissioner Higher Education, Block- C-3, II And III Floor, Indrawati Bhawan, Naya Raipur, Atal Nagar, Raipur (Chhattisgarh)
3. The District- Collector District- Bastar (Chhattisgarh), District : Bastar(Jagdalpur), Chhattisgarh
4. The Principal Government Girls Higher Secondary School, Narayanpur, District- Narayanpur (Chhattisgarh), District : Narayanpur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Neeraj Choubey, on behalf of Mr. Avinash K. Mishra, Advocates
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15/01/2021**

1. The challenge in the present writ petition is to the order dated 23.05.2001 whereby the services of the petitioner was terminated by the respondents.
2. Perusal of the record would show that the petitioner in the past had filed the writ petition challenging the termination i.e. WPS 1485/2001 and the said writ petition was withdrawn vide order dated 30.06.2009 with liberty to approach the Caste Scrutiny Committee.

3. It appears that there is no further decision obtained from the Caste Scrutiny Committee till date. Moreover, once when the challenge was to the order of termination and the same has been withdrawn on 30.06.2009 without any liberty of challenging the termination order. Second writ petition for the same cause of action again that too after lapse of about two decades would be hit by principles of constructive Res-Judicata. The writ petition therefore stands rejected on this ground alone. It would be open for the petitioner to avail other remedies open to him.

Sd/-
(P. Sam Koshy)
Judge

Rohit