

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Writ Petition No.1589 of 2020**

***Shri Vinod s/o Sambayya Nishthur***

**vs.**

***The State of Maharashtra, through Secretary, Department of Rural Development, Mumbai & others***

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.  
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Court's or Judge's Orders

*Mr. Rajendra Murkute h/f Mr. G.G. Bade, Advocate for the Petitioner.  
Mr. M.K. Pathan, A.G.P for Respondent No.1.*

**CORAM : DIPANKAR DATTA, C.J. and  
ROHIT B. DEO, J.**

**DATE : 7<sup>th</sup> DECEMBER, 2021.**

**PC.**

01] The petitioner tendered resignation on 23/10/2013, which was accepted on 31/12/2013. On 10/01/2014, the petitioner moved for withdrawal of such resignation. The prayer not having been considered, the petitioner initiated the first round of litigation before this Court by instituting Writ Petition No.1051/2017. A co-ordinate Bench of this Court disposed of the writ petition by order dated 24/02/2017 granting liberty to the petitioner to make a comprehensive representation containing necessary facts for consideration by his employer and if such representation were made, the respondent no.2 was directed to consider it in accordance with law.

02] Availing the liberty granted by the said order dated 24/02/2017, the petitioner made a representation dated

23/03/2017. Such representation was rejected by an order dated 29/07/2017. In Writ Petition No.6696/2017, which was the second round of litigation, the petitioner challenged the said order dated 29/07/2017. The said writ petition was rejected on 10/10/2017.

03] This is the third round of litigation at the instance of the petitioner, whereby he has laid a challenge to a subsequent order dated 06/08/2019 made by the respondent no.4 on a subsequent application of the petitioner dated 23/04/2019.

04] At the time of hearing, Mr. Murkute, learned advocate for the petitioner seeks leave to withdraw this writ petition; he also seeks liberty so that the petitioner may approach the competent authority for appropriate relief.

05] Having regard to the orders passed by this Court in the previous rounds of litigation, we are inclined to hold that the issue sought to be raised by the petitioner is barred by *res judicata*. The question of granting him liberty to approach the competent authority once again does not and cannot arise.

06] The writ petition stands dismissed. No costs.

**JUDGE**

**CHIEF JUSTICE**

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