

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 17262 of 2021 (O&M)

Date of Decision:16.09.2021

Star Health and Allied Insurance Company Limited

.....Petitioner

Versus

Inderjit Singh and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ravinder Arora, Advocate,
for the petitioner.

LISA GILL, J(Oral).

Though matters were being taken up through physical hearing mode today, this matter has been taken up through video conferencing on specific request of learned counsel and in terms of circular dated 14.09.2021.

Prayer in this writ petition is for quashing order dated 24.03.2021, Annexure P-1, passed by the learned Permanent Lok Adalat (Public Utility Services), Kurukshetra.

Learned counsel for the petitioner is unable to deny that abovesaid order dated 24.03.2021 was the subject matter of challenge in CWP No. 12478 of 2021, which was dismissed on 13.07.2021. Argument raised by learned counsel for the petitioner is that the grounds raised in the present writ petition were not raised in the earlier one i.e., CWP No. 12478 of 2021.

Heard learned counsel for the petitioner.

Subsequent petition filed in this manner for challenging the same award already adjudicated upon is clearly not maintainable. In case, such an interpretation is accepted the litigant would be permitted to keep

filing subsequent and multiple writ petitions again and again for impugning the same award taking up separate grounds. It is relevant to refer to Order 2 Rule 2 CPC at this stage. Needless to say, it was open to the petitioner to have raised all the grounds available to it in CWP No. 12478 of 2021 and a fresh writ petition in this regard is not maintainable.

At this stage, learned counsel for the petitioner seeks to withdraw this writ petition with liberty to the petitioner to avail the remedy/remedies, if any, as may be available to it.

Writ petition is accordingly dismissed as withdrawn with liberty as aforementioned.

16.09.2021

s.khan

[LISA GILL]**Judge**

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.