

121

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15715-2023

Date of Decision: 25.07.2023

Kesar Singh

. . . . Petitioner

Vs.

State of Punjab and another

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Lalit Goyal, Advocate
 for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner had earlier preferred a writ petition before this Court wherein he prayed for directing the respondents to grant promotion to the petitioner as his juniors had been granted promotion earlier.
2. During the pendency of the writ petition, the petitioner was granted promotion and he instructed his counsel that as his grievance has been redressed, the petition be rendered as infructuous, and the Court accordingly disposed of the writ petition as having become infructuous vide order dated 24.11.2021 in CWP-9278-2017.
3. It appears that the petitioner later on realizing that persons junior to him had been promoted from an earlier date has now filed the present writ petition claiming arrears from the date when employees junior to him were granted promotions.
4. Successive writ petitions cannot be filed claiming same kind of relief. If the petitioner had knowingly got his earlier writ petition dismissed as

having been infructuous, it would mean that the petitioner did not want any further relief, and his grievances stood redressed. He cannot turn around and again file a writ petition.

- 5. Principle of *approbate and reprobate* shall apply.
- 6. Petition is accordingly dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

July 25, 2023
Mohit goyal

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| 1. <i>Whether speaking/reasoned?</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable?</i> | <i>Yes/No</i> |