

2025:PHHC:050902



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CWP-21810-2018

Date of Decision: 21.04.2025

RAJESH KUMAR MISHRA

... Petitioner

VERSUS

DIRECTOR GENERAL CRPF AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Rajeev Anand, Advocate for the petitioner.
Mr. Ravinder Pal Singh, Advocate (*through video conference*)
for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed for seeking quashing of charge sheet dated 23.02.2016, the report of Inquiry Officer dated 15.06.2016 and the punishment order dated 07.07.2016, imposing punishment of compulsory retirement on the petitioner.

A preliminary objection has been raised by the counsel for the respondents that the petitioner had earlier filed a Civil Writ Petition in the year 2017 titled as “Rajesh Kumar Mishra Versus Union of India and others” before the Jammu & Kashmir High Court, which was dismissed as not pressed. He further contends that the petitioner would thus be estopped and barred from approaching this Court for seeking the same relief. He submits that even though the reply was filed in the month of September 2019 and a period of nearly six years has elapsed since then, however, the abovesaid factual aspect has remained undisputed and uncontroverted as no replication or rejoinder has been filed by the petitioner till date.

Noticing that there is concealment of crucial facts by the petitioner including filing of Writ Petition before the High Court of Jammu & Kashmir and same having already been dismissed as not pressed, the same would operate as *res-judicata* in re-agitating the same aspect before a separate forum.

This Court would have, ordinarily, imposed heavy costs on such a litigant, however, taking into consideration the stance of learned counsel for the petitioner, the costs is not being imposed.

Dismissed.

APRIL 21, 2025.

Rajender

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No