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

LPA-3652-2025 (O&M)

Date of Decision: 28th January 2026

DR. RAMPHAL SHASTRI

.....Appellant(s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA**
 HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Kuldeep Khandelwal, Advocate, for the appellant.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Single Judge has dismissed the Writ Petition filed by the appellant where prayer was made for grant of the State Teacher Award-2018, on the ground that the earlier Writ Petition filed by the appellant, with the same prayer, has already been dismissed by this Court vide order dated 22.07.2024. Para 2 of the impugned judgment of learned Single Judge records such facts which reads as under:-

“2. Learned counsel for the petitioner does not dispute that the petitioner earlier approached this Court by filing CWP-16701-2024, seeking the State Teacher Award-2018. The Petition was dismissed vide order dated 22.07.2024, as also its review application on 06.08.2024. Thereafter, he approached the Division Bench by filing an appeal LPA-2102-2024, which was unconditionally withdrawn by him and was dismissed as such. “

2. The only ground pressed before the learned Single Bench was that the earlier Writ Petition was not claiming the said award under “Female” category. This argument has also been rejected by the learned Single Judge in para 3 of the impugned judgment, which reads as under:-

“3. Apparently, the instant petition has been filed raising the same claim which was earlier raised by him by filing the petition mentioned hereinbefore, CWP-16701-2024. The contention by learned counsel that the earlier petition was not for claiming the award under the Female category, is of no consequence. The petitioner was entitled to claim the award on all available grounds, and his failure to raise any particular ground amounts to giving it up which cannot be raised again, much less by filing another petition on the same cause of action. His claim has already been considered and rejected by this Court vide order dated 22.07.2024, appeal against the same stands dismissed as withdrawn. No fresh cause has arisen to the petitioner, still he has chosen to file the instant petition, which is an abuse of the process of law.”

3. Though various submissions are made but we find that the claim raised by the appellant was clearly available to him at the time of filing of the earlier Writ Petition. Even if such a ground was not taken, a fresh Writ Petition would not be maintainable on the account of the principles of *constructive res judicata*. The law is settled that principles of constructive res judicata would be applicable to writ proceedings also. See judgement of the Hon'ble Supreme Court in **Ishwar Dutt Vs. Land Acquisition Collector and Another**, (2005) 7 SCC 190.

4. In the previous round of litigation, LPA-2102-2024 filed by the appellant was dismissed as withdrawn, without any liberty to institute a fresh cause. In view of the law settled by the Hon'ble Supreme Court in **Forward Construction Co. v. Prabhat Mandal (Regd.), Andheri**, AIR 1986 SC 391, a fresh writ petition would, therefore, not be maintainable.

5. Therefore, we are in respectful agreement with the view taken by the learned Single Judge for dismissing the Writ Petition filed by the appellant.

6. Pending application(s), if any, in this case, are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

January 28, 2026.

Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>