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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6773/2026, CM APPL. 33281-33282/2026

VIPTI RAM

.....Petitioner

Through: Mr. D.B. Yadav and Mr. Suraj Yadav,
Advocates.

versus

GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mrs. Avnish Ahlawat, SC for
GNCTD Services with Mr. N.K.
Singh, Ms. Aliza Alam and Mr.
Mohnish Sehrawat, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.05.2026

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1. The present writ petition is grossly and hopelessly misconceived and is liable to be dismissed at the threshold. The Petitioner states that he was appointed as a Sweeper on 10th July, 1980 in the Mental Hospital, Shahdara. Disciplinary proceedings were initiated against him, culminating in the penalty of removal from service *vide* order dated 14th January, 2006 passed by the Disciplinary Authority.

2. The record reveals that the Petitioner has availed of multiple remedies in respect of the aforesaid order. His appeal and revision petitions were rejected. Thereafter, he approached the Central Administrative Tribunal (CAT) by way of OA No. 1197/2008, which was disposed of on 21st May, 2009 with a direction to the Revisional Authority to reconsider the matter and pass a speaking order. Pursuant thereto, the Revisional Authority again



declined to interfere by order dated 22nd September, 2009. The Petitioner once again approached the CAT by filing OA No. 1121/2010, which came to be dismissed on 15th November, 2010.

3. Aggrieved thereby, the Petitioner invoked the writ jurisdiction of this Court in W.P.(C) 4005/2011. The said writ petition was dismissed by order dated 8th August, 2013, thereby affirming the decisions rendered by the authorities and the Tribunal.

4. After a lapse of nearly twelve years, the Petitioner filed CM Appl. 74005/2025 in the disposed of writ petition, once again seeking to assail the order dated 14th January, 2006. The said application was dismissed by order dated 16th January, 2026 on the ground that, after dismissal of the writ petition, no application seeking to set aside the original order was maintainable. The relevant extract reads:

“CM APPL. 74005/2025 [for setting aside of order dated 14.01.2006]

1. *The W.P.(C) 4005/2011 was dismissed by order dated 08.08.2013. Thereafter, after passage of 12 years, this application has been filed to set aside the order dated 14.01.2006, passed by Respondent No.2.*
2. *Once the Writ petition was dismissed, the application to set aside the order passed by the authorities is not maintainable.*
3. *Hence, the present application is dismissed as misconceived.”*

5. Notwithstanding the aforesaid, the Petitioner has instituted the present writ petition seeking substantially identical relief, namely, setting aside of the order dated 14th January, 2006. The present proceedings are nothing but a veiled attempt to reagitate issues that stand conclusively determined. The Petitioner cannot be permitted to achieve indirectly what he has failed to secure directly in earlier rounds of litigation. Mere recourse to a fresh writ petition does not create a new cause of action, nor does it dilute the binding effect of prior adjudication.



6. The attempt of the Petitioner is clearly hit by the doctrine of finality. Once a matter has been examined and adjudicated upon up to the level of this Court, the same cannot be permitted to be reopened at the instance of a dissatisfied litigant through successive proceedings. Any such indulgence would not only undermine judicial discipline but also encourage abuse of process by enabling endless re-litigation of settled issues.

7. The Petitioner seeks to overcome the bar of finality and delay by alleging fraud and placing reliance on the decision of the Supreme Court in ***Vishnu Vardhan @ Vishnu Pradhan v. State of Uttar Pradesh***.¹ The said contention is misconceived. It is well settled that allegations of fraud, to justify reopening of concluded proceedings, must be specific, substantiated, and of such a nature as would vitiate the very foundation of the earlier adjudication. Bald and belated assertions, without any credible material, cannot be permitted to unsettle issues which have been conclusively determined after multiple rounds of litigation.

8. The present petition is also barred by gross delay and laches. The impugned order dates back to the year 2006 and has been subjected to scrutiny before the departmental authorities, the Tribunal, and this Court, culminating in dismissal of the writ petition in 2013. The Petitioner has offered no cogent explanation for the extraordinary delay in seeking to reopen the matter. The law does not assist those who sleep over their rights, particularly where the challenge concerns matters that have long attained administrative and judicial finality.

9. There is yet another fundamental impediment to the maintainability of the present petition. The dispute raised by the Petitioner arises out of a



service matter squarely falling within the exclusive domain of the Central Administrative Tribunal under the Administrative Tribunals Act, 1985. The Petitioner has, in fact, availed of such remedy in earlier rounds of litigation. In view of the statutory scheme, this Court would not entertain a fresh writ petition in respect of the same service dispute, particularly when the matter has already been adjudicated upon by the Tribunal and the decision thereof has attained finality upon dismissal of the earlier writ petition. Permitting the present petition would not only amount to bypassing the statutory forum but would also run contrary to the settled principle that a litigant cannot repeatedly invoke parallel or successive jurisdictions in respect of the same cause of action.

10. The conduct of the Petitioner in repeatedly invoking the jurisdiction of this Court on the same cause of action, despite earlier adjudications, amounts to an abuse of the process of law and warrants imposition of costs.

11. Accordingly, the present writ petition is dismissed with costs of ₹5,000/-, to be deposited with the Delhi State Legal Services Authority within a period of four weeks. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

MAY 18, 2026

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¹ 2025 INSC 884