



IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,  
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 22<sup>nd</sup> OF APRIL, 2025

WRIT APPEAL No. 913 of 2024

*SAPAN VISHWAKARMA*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

.....  
Appearance:

Shri Shiv Kumar Raghuvanshi, Advocate for appellant.

Shri Ritwik Parashar, Government Advocate for respondents/State.  
.....

ORDER

*Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice*

Aggrieved by order dated 14.12.2023 passed by the learned Single Judge in dismissing W.P. No. 11962 of 2023, the appellant is in appeal.

2. It is not in dispute that the writ petitioner earlier filed W.P. No. 4733 of 2023 and the same was dismissed by the writ court vide order dated 28.02.2023 with liberty to the writ petitioner/appellant herein to pursue the other remedy as available to him as per law. Thereafter, the writ petitioner filed another writ petition being W.P. No. 11962 of 2023. The same was dismissed vide order dated 14.12.2023 by observing that without availing such remedy, the writ petitioner again approached this court for the same reliefs. Thus, the principle of *res judicata* applies and accordingly, the writ



petition was dismissed.

3. We have perused the earlier writ petition i.e. W.P. No. 4733 of 2023. In the said petition, the writ petitioner/appellant herein had not challenged the termination order dated 13.06.2022 which is Annexure P-10.

4. We hereby dispose of the present appeal by setting aside the order dated 14.12.2023 passed in W.P. No. 11962 of 2023. Further, we request the writ court to decide the writ petition No. 11962 of 2023 filed by the petitioner/appellant on merit by giving him opportunity of hearing.

5. The parties are directed to appear before the writ court on 29.04.2025.

(SURESH KUMAR KAIT)  
CHIEF JUSTICE

(VIVEK JAIN)  
JUDGE

MSP