IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7677 of 2026

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Anuradha Sinha, Wife of Tarakant Sinha, Resident of Village- Nakkinagar Kayasth Tola, P.O. and P.S. Jamalpur, District- Munger.

... ... Petitioner/s

Versus

1. The Registrar General, Patna High Court, Patna.
2. The District and Sessions Judge-cum-Chairman, Appointed Committee of Munger Judgeship, Munger.
3. The Judge-in-charge Administration, Civil Court, Munger.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the High Court : Mr. Piyush Lall, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 16-06-2026

Heard Mr. Sheo Nandan Prasad, learned Advocate for the petitioner and Mr. Piyus Lall, learned Advocate for the Patna High Court.

2. The petitioner has approached this Court on being aggrieved with the final result dated 29.07.2017 published pursuant to Advertisement No. 1 of 2017 for the post of Class-IV employees by the District & Sessions Judge-cum-Chairman, Appointment Committee of Munger judgeship.

3. The ground for challenge is only confined that the result has been published without providing 35% reservation to the Women Category candidate and, as such, 35% horizontal reservation to the women candidate has not been provided.

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4. Mr. Piyus Lall, learned Advocate for the Patna High Court at the outset drew the attention of this Court to the order dated 10.02.2026 passed by the learned coordinate Bench of this Court in C.W.J.C. No. 11974 of 2017. On perusal thereof, it is evident that in the earlier round of litigation, the petitioner along with one Shashank Kumar approached this Court for identical relief and finally sought permission to withdraw the application. The writ petition was accordingly dismissed as withdrawn.

5. Notwithstanding, the aforesaid position, a fresh writ petition has been filed for the same relief, but only with the change of the counsel. It is submitted at the bar that on the part of the present petitioner there had never been any instruction for withdrawal of the earlier writ petition; nonetheless, the writ petition has been withdrawn on behalf of both the petitioners.

6. Submission of the learned Advocate for the petitioner is nothing but an aspersion upon the earlier counsel, which is highly deplorable and unethical. Besides the aforesaid submission, Mr. Lall also urged that once the petitioner has unconditionally withdrew the writ petition, the second writ petition for the same cause of action cannot be maintained; and if the contention of the petitioner was true, then instead of filing

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the writ petition she should file a modification/review application through the same counsel, but the same has not been done.

7. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the preliminary objection taken by Mr. Lall, this Court finds that the present writ petition is nothing but a serious abuse of the process of the Court. Unconditional withdrawal of the writ petition bars the petitioner to file a second writ petition for the same cause of action not in terms with the Order 23 Rule 1 of the Code of Civil Procedure, but in terms with the Public policy, which bars a person to approach the Court time and again for the same causes of action. Reference in this regard is also taken to the Full Bench decision of this Court in the case of ***Mahanth Ram Kinkar Das Vs. The State of Bihar & Ors, 2017 (1) PLJR 909.***

8. Considering the aforesaid factual position and the law settled in this regard, besides the averments made in the writ petition, which is nothing, but aspersion to a conducting lawyer, who had been engaged in earlier round of litigation, this Court is of the considered view that there is no merit in the writ petition. However, for making such aspersions against the

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earlier counsel and filing successive writ petition despite withdrawal of the earlier writ petition, this Court is of the view that a cost should be imposed, which is hereby quantified to the tune of Rs.5,000/-. The cost aforenoted must be deposited before the Patna High Court Legal Services Committee within four weeks from today. In case of non-deposit of the cost amount within the stipulated period, the authorities concerned shall proceed against the petitioner and realize the same in accordance with law.

9. The writ petition stands dismissed.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.06.2026
Transmission Date	NA

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