

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

No. Of Adjournment : 20

COURT NO. : 1

28.02.2020

O.A./260/44/2018

M MOHANTY
-V/S-
M/O RAILWAYS

ITEM NO:1

FOR APPLICANTS(S) Adv. : Mr. N. R. Routray

FOR RESPONDENTS(S) Adv.: Mr. S. K.Ojha

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the respondents files preliminary objection on maintainability of the OA on the ground of the principle of res-judicata, since earlier OA filed by the applicant in OA No. 705/2016 was already dismissed by this Tribunal vide order dated 15.10.2009(Annexure-A/2). This OA, having been filed by the applicant with the same prayer, is not maintainable as stated in the objection filed by the respondents.</p> <p>Ld. Counsel for the applicant submitted that earlier OA was dismissed mainly because no document was produced to show screening/regularization, Such a document was obtained subsequently as attached at Annexure-A/4 of this OA.</p> <p>In view of the submissions as above, since the matter has been adjudicated on merit by this Tribunal in OA No. 705/2016 vide order dated 15.10.10.2009(Annexure-A/2), as per the settled law, the same relief or grievance cannot be adjudicated by this Tribunal in this OA even though fresh documents were procured subsequently by the applicant.</p> <p>Hence, this OA, being barred by the principle of res-judicata, is dismissed with no order as to cost.</p> <p>Copy of this order be given to Ld. Counsels for both the sides.</p> <p style="text-align: right;">(GOKUL CHANDRA PATI) MEMBER (A)</p> <p style="text-align: center;">pms</p>