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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 11402/2021

NARESH KUMAR ARORA

..... Petitioner

Through: Mr.Jasvinder Kaur, Adv.

versus

NATIONAL INSURANCE COMPANY LIMITED & ANR.

..... Respondents

Through: Mr.Sanjay Rawat, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

12.07.2022

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1. The petitioner has approached this Court seeking a direction to the respondents to release his leave encashment which has been withheld for the last more than 12 years on account of his conviction in a criminal case.
2. Learned counsel for the respondent vehemently opposes the very maintainability of the writ petition on the ground that the petitioner having earlier moved an application being CM APPL. 22783/2021 in W.P.(C) 11719/2015 seeking similar reliefs, which application was on 29.07.2021, dismissed as withdrawn without any liberty being sought by him, the present petition seeking the same relief is not maintainable. He, therefore, contends that the present petition is barred by *res judicata*.
3. At this stage, learned counsel for the petitioner prays that hearing be deferred to enable her to seek clarification of the order dated 29.07.2021 passed in W.P.(C) 11719/2015.



4. While making it clear that this Court has not expressed any opinion as to the entitlement of the petitioner to seek clarification of the order dated 29.07.2021, hearing is deferred at the request of the petitioner.
5. At request, list on 02.11.2022.

JULY 12, 2022
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REKHA PALLI, J