

Principle of res judicata applies in different stages of the same proceedings

“...Here what is sought to be reagitated is not really the order of remand but the order deciding a germane issue which was allowed to become final at an earlier stage of the same suit. The principle of res judicata applies as between two stages in the same litigation so that if an issue has been decided at an earlier stage against a party, it cannot be allowed to be agitated by him at a subsequent stage in the same suit or proceedings. This position is laid down in *Hope Plantations Ltd. v. Taluk Land Board* to which one of us (Syed Shah Mohammed Quadri, J.) was a party.”

2002 PLRonline 0004

C.V. Rajendran v. N.M. Mohammed Kunhi (2002) 7 SCC 447, 2002 PLRonline 0004