

**Joginder Singh vs. The State of H.P. &
Ors.**

CWPOA No.2139 of 2019

15.09.2026 Present: Mr.Aakash Thakur, Advocate for the petitioner.

Mr.Amandeep Sharma, Additional Advocate
General for the respondents.

CMP-T No.254 of 2026

By medium of the present application, a prayer has been made to amend the petition. The petition was instituted in the year 2013. It has been averred in the application that the respondents have passed an office order dated 27.03.2026, whereby his claim for grant of higher pay scale was considered and rejected being devoid of merit. The applicant/petitioner is laying challenge to the aforesaid order. It has been averred that the proposed amendment is necessary for the proper determination of the real question in controversy and also for proper adjudication of the dispute in the writ petition.

2. The respondents filed reply to the application and in preliminary submissions have averred that the application is misconceived and not maintainable. The petitioner is seeking, by way of amendment, to introduce matters which do not warrant any amendment to the original writ petition and to claim relief, which is otherwise not legally sustainable. Further, the applicant/petitioner

has concealed material facts from the Court. He had filed two writ petitions i.e. CWP No.3232 of 2013 and CWP No.2961 of 2013 before this Court in respect of the same/similar cause of action. The respondents filed reply to CWP No.3232 of 2013 on 27.07.2013. The petitioner by way of present application is seeking amendment in CWP No.2961 of 2013 while failing to disclose the aforesaid material facts from this Court. Such concealment disentitles the applicant/petitioner for seeking the discretionary relief of amendment.

3. On merits, it has not been denied that the respondents have rejected the claim of the petitioner vide order dated 27.03.2026 by passing a detailed order.

4. I have heard the learned counsel for the parties and also perused the record carefully.

5. It has not been disputed by the respondents while filing reply to the application that the claim of the petitioner has been rejected vide order dated 27.03.2026. The plea which has been taken is that the petitioner is seeking, by way of amendment, to introduce matters which do not warrant any amendment in the original writ petition and further, the petitioner has instituted two writ petitions.

6. So far as the plea taken by the respondents that the applicant/petitioner is seeking, by way of amendment to

introduce matters which do not warrant any amendment in the original writ petition is concerned, the same is without any merit. Once the respondents have not disputed the fact that the claim of the petitioner came to be rejected vide order dated 27.03.2026, which admittedly, is after institution of the present petition by the applicant/petitioner, he has every right to seek amendment to lay challenge to the said order. The purpose of seeking amendment is to bring on record the subsequent events, which were not existing on the date of institution of the petition.

7. The second plea, which has been taken by the respondents that the applicant/petitioner has filed two writ petitions is concerned, the said fact will be ascertained at the time of final adjudication of the claim in the writ petition and for the purpose of seeking amendment, the said question cannot be gone into at this stage.

8. The purpose of making the application is to avoid multiplicity of litigation and as such, the prayer made by the applicant/petitioner seeking amendment to lay challenge to the order, which has been subsequently passed by the respondents vide order dated 27.03.2026, is material for the purpose of adjudication of his claim in the present petition and as such, the application seeking

amendment of the petition as proposed is allowed and the annexures appended with the original writ petition are ordered to be transposed with the amended writ petition.

9. The amended writ petition filed by the applicant/petitioner is ordered to be taken on record and the same be placed at an appropriate place alongwith the annexures.

The application stands disposed of.

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Learned Additional Advocate General prays for and is granted four weeks time to file reply to the amended writ petition.

List on 27th October, 2026.

15th September, 2026
(naveen)

(Jiya Lal Bhardwaj)
Judge