

Shyam Lal vs. State of HP & Ors.

CWPOA No.3263 of 2019

09.09.2026 Present: Mr. Dushyant Dadwal, Advocate, for the petitioner.

Mr. Amandeep Sharma, Additional Advocate General, for respondents No.1 & 2-State.

Mr. Prashant Sharma, Advocate, for respondents No.3 and 4.

CMP-T No.353 of 2026

By way of present application, the applicant/petitioner has prayed to place on record the office orders dated 09.04.2009 and 13.09.2010 i.e. Annexures P-15 and P-16, respectively, issued by the Managing Director of respondent No.3-Corporation.

2. It has been averred in the application that initially the petition was filed in the year 2005 for the grant of higher pay scale, which was granted to the counterparts of the applicant/petitioner in other Departments and the rejection of his case is wholly on untenable grounds. It has further been averred that the petitioner was doing the similar work as was being done by the Technical Assistants (Statistics) in other Government Departments and moreover, he was holding the qualification of M.A. (Economics), which was also the requirement for appointment as Technical Assistant (Statistics) in various Government Departments. The work allotted to the applicant's/petitioner includes all types of meeting except BOD meeting, all matters relating to Statistics i.e. monthly sale & stock statements, status report, action plan, marketing intelligence report etc. Further, the matters

relating to various sale units i.e. opening/closing/ construction/ hiring/ vacation and repairs of godowns/ shops including distribution of work amongst employees has been given, which includes the job and duties of the applicant/petitioner, as evident from perusal of office orders dated 09.04.2009 and 13.09.2010 and as such prayed for taking the aforesaid orders on record, since these documents go to the root of the cause and are necessary for the proper and just adjudication of the dispute involving in the petition.

3. Respondents No.3 & 4 have filed reply to the application and raised preliminary objections/submissions that the application is wholly misconceived and is an afterthought and as such deserves to be dismissed with cost. No explanation has been offered for the extraordinary delay in seeking the production of orders by the applicant/petitioner. The distribution of work order is a purely an internal administrative arrangement, made for the convenient allocations of files amongst the officials of an office. It has further been averred that the application has been filed at belated stage, which is an attempt to fill up the lacunae in the matter and as such have prayed for dismissal of the application.

4. The petitioner has filed rejoinder to the reply filed by respondents No.3 & 4 and controverted the averments made therein.

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

6. It has not been denied by the respondents No.3 & 4 that the Managing Director of the respondent No.3-Corporation has passed the aforesaid orders. Since, the aforesaid office orders are material for the purpose of adjudicating the controversy involved in the petition, no prejudice is going to be caused to the respondents No.3 & 4, who otherwise are opposing the prayer of the applicant/petitioner for the same pay scale as granted to his counterparts in other Government Departments.

7. Keeping in view the fact that the aforesaid office orders have been issued by the Managing Director of respondent No.3-Corporation, the interest of justice demands that the same are taken on record. Hence, the present application is allowed and the office orders dated 09.04.2009 and 13.09.2010 i.e. Annexures P-15 and P-16, respectively, issued by the Managing Director of respondent No.3-Corporation are ordered to be taken on record and will be considered while deciding the writ petition. The application is accordingly disposed of.

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List for hearing on **30.09.2026.**

09th September, 2026
(Anurag)

(Jiya Lal Bhardwaj)
Judge