

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (S) No. 6143 of 2013

Dr. Amrendra Kumar Pathak & Ors.Petitioners
-V e r s u s-
The State of Jharkhand and Ors.Respondents

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CORAM: - HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For the Petitioners : - Mr. Sujit Narayan Prasad, Adv.
For the Respondent : - JC to AG

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I. A. No. 4044 of 2014

04/14.08.2014 The petitioners herein have sought certain correction in para 1(a) and 1(c) in the main writ petition as proposed in the instant interlocutory application at para- 1(i). Apart from that the petitioners have also sought to challenge the order of Fitment Appellate Committee dated 27.09.2011 whereby the claim of the petitioners for the revised scale of Rs. 15600-39100/- has been rejected.

The petitioners in para 1(a) and 1(c) had sought quashing of the resolution of the Finance Committee dated 28.02.2009 whereunder their claim for revised pay scale of Rs. 8000-13500/- with grade pay of Rs. 5400/- was refused.

It is contended that inadvertently in the said paragraph they had indicated "corresponding revised pay scale of Rs. 15600-39100/-", as scale of which they are entitled in Grade-A post, but as a matter of fact the revised scale would be Rs. 9300-34800/- which correction is sought to be made. It is also submitted that grievances of the petitioners would not be completely adjudicated if the order of Fitment Appellate Committee dated 27.09.2011 is not challenged. Proposed amendments are necessary to avoid multiplicity of litigation.

Learned counsel for the respondent-State does not dispute the submissions of the learned counsel for the petitioners.

Having regard to the aforesaid circumstances, it appears that proposed amendments are necessary and in relation to main cause of action already raised by the petitioners in the main writ petitions. Therefore, to avoid multiplicity of litigation also, proposed amendments are allowed to be incorporated in the main writ petition. However, since the order of Fitment Appellate Committee is not part of the writ petition and certain deletions are required to be made in the main writ petition by

substituting the same by proposed amendment, it is proper that amended writ petition be filed within a period of two weeks incorporating the proposed amendments at the relevant place in the main writ petition and at the same time indicating the amendments being carried out in the amended writ petition.

A copy of the amended writ petition be served upon the counsel for the respondent-State within the said time so that they may file response to the amended writ petition as well.

Upon filing of the amended writ petition, the office to also verify that proposed amendments have been carried out in a proper manner and thereafter the respective amended writ petition and original writ petition be segregated so that the records may not be rendered bulky.

List this case after six weeks under the appropriate heading.

I. A. No. 4044 of 2014 stands disposed of.

(Aparesh Kumar Singh, J.)

Kamlesh/