



\$~15 to 17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1875/2013, CM APPL. 14622/2014 & 9378/2022

FEDERATION OF STATE BANK OF INDIA AND ORS

.....Petitioners

Through: Mr. P.N. Misra, Senior Advocate with Mr. Debesh Panda, Mr. Subhash Chandra Sagar and Mr. Hemant Kumar Sagar, Advocates.

versus

THE UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Rajiv Kapur, SC with Mr. Akshit Kapur, AoR for R-3.

+ W.P.(C) 8095/2016

UMESH SHARMA

.....Petitioner

Through: Dr. Alex Joseph, Mr. Mayank Dwivedi, Ms. Supriya Verma, Ms. Albina Sebastian and Ms. Dhruvi Sikarwar, Advocates.

versus

THE STATE BANK OF INDIA

.....Respondent

Through: Mr. Rajiv Kapur, SC with Mr. Akshit Kapur, AoR for SBI.

+ W.P.(C) 9679/2016

MANOHAR LAL

.....Petitioner

Through: Mr. Avinash Sharma, Dr. Alex Joseph, Mr. Mayank Dwivedi, Ms Albina Sebastian, Ms. Dhruvi Sikarwar and Ms. Supriya Verma, Advocates with petitioner in person.

versus

THE STATE BANK OF INDIA

.....Respondent



Through: Mr. Rajiv Kapur, SC with Mr.
Akshit Kapur, AoR for SBI.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER

%

23.03.2026

CM APPL. 25173/2025 in W.P.(C) 1875/2013 (for amendment)

1. By this application, the petitioners in the writ petition seek to amend the writ petition to introduce challenges to notifications dated 18 March 2024 and 4 November 2024 which were issued by the respondents during the currency of the writ petition, making certain changes in the State Bank of India Employees Pension Fund Regulation, 2014¹, though the amendments have been seriously contested by the respondents.

2. Learned Counsel for the respondents has placed reliance on order dated 2 May 2024, pointing out that the learned Senior Counsel for the petitioners had, on that date, stated that he would not be challenging the notification dated 18 March 2024. He, therefore, submits that the petitioners are estopped from raising such a challenge.

3. We have our doubts as to whether merely by making such a statement, there can be an estoppel to amending the writ petition, when the goal post has changed while the proceedings are in currency. At the highest, it may appear that the statement may only apply to the position of things as it stood then.

¹ "2014 Regulation", hereinafter



4. We however do not have to travel down that path as, after the said order was passed, the respondents again issued a fresh notification dated 4 November 2024 once again amending Regulation 23 of the 2014 Regulation.

5. By this application, the petitioners seek to challenge both the amendments.

6. Inasmuch as the amendment dated 4 November 2024 is a development which has taken place after the order dated 2 May 2024 passed by this Court, and the amendment seeks to challenge both the notifications, we are of the opinion that the prayer for amendment cannot be rejected.

7. Mr. Akshit Kapur, learned Counsel for the respondents also sought to submit that in fact the notifications dated 18 March 2024 and 4 November 2024 have been separately challenged by the petitioners in WP (C) 8095/2016 and WP (C) 9679/2016 and that, therefore, this amendment application would not be permissible in law.

8. We cannot agree.

9. The said writ petitions had been filed by individual employees. At the time when the said application was filed, WP (C) 1875/2013 was still in its unamended form. There can be no estoppel against the employees filing individual writ petitions in such a circumstance. The amendment of WP (C) 1875/2013 will only be allowed today. As



such, we are of the opinion that the fact that the individual employees had filed WP(C) 8095/2016 and WP(C) 9679/2016 cannot be a bar to the present amendment application being entertained. In any case, all the three writ petitions are being heard together.

10. Accordingly, CM APPL. 25173/2025 is allowed.

11. The amended writ petition filed along with the application is taken on record.

12. Counter affidavit, if any, to the amended writ petition be filed within four weeks with advance copy to learned Counsel for the petitioners who may file rejoinder thereto, if any, within four weeks thereof.

13. Re-notify all these writ petitions on 26 May 2026.

C.HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

MARCH 23, 2026/pa