

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT JAMMU**

LPA No. 183/2023  
CM No. 2416/2024  
CM No. 6100/2023

**Union of India and others** .... Petitioner/Appellant(s)

Through:- Mr. Suneel Malhotra, CGSC.

V/s

**Abdul Rehman** .....Respondent(s)

Through:- Mr. Ankesh Chandel, Advocate.

**CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE**  
**HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE**

**ORDER**

29.10.2025

**CM No. 2416/2024**

01. This application has been preferred by the applicants/appellants seeking amendment of the above-titled Letters Patent Appeal (for short, 'Appeal').

02. The applicants submit that the said appeal, preferred by them, is pending adjudication before this Court. It is submitted that inadvertently, in the averments made, instead of mentioning Rule 27 of the Central Reserve Police Force Rules, 1955 (for short, 'CRPF Rules'), have mentioned Rule 72 of the aforesaid Rules.

03. The main contention raised in this appeal pertains to the applicability of Rule 27 of the CRPF Rules, which deals with misconduct, whereas, Rule 72 of the CRPF Rules falls under the Chapter "Increment". The respondent/non-applicant was dealt with for his misconduct under the procedure prescribed in the Chapter "Discipline," i.e., Rule 27 of the CRPF

Rules. The applicants, therefore, seek leave of this Court to amend the pleadings to serve the ends of justice.

04. *Per contra*, the respondent/non-applicant has filed objections, vehemently opposing the amendment on the ground that the proposed amendment would alter the nature and complexion of the appeal under consideration. It is further submitted that both the Rules have been adequately considered in the judgment and the present application has been filed only to create confusion with an oblique motive.

05. The writ petition was preferred by the respondent/non-applicant seeking quashing of order dated 24.12.2011, whereby his increment for two years was stopped and he was treated as a deserter/absentee with effect from 23.11.2010. The stand of the respondent/non-applicant is that the action taken against him was pursuant to disciplinary proceedings in which punishment was imposed upon him. Therefore, the issue to be adjudicated relates to Rule 27 of the CRPF Rules governing disciplinary proceedings, which has inadvertently been mentioned as Rule 72 in the appeal.

06. This apart, the proposed amendment sought by the applicants does not change the nature of the cause of action. It is well settled that the Court should be liberal in allowing such amendment when the matter is still at the initial stage and is yet to be adjudicated.

07. In view of the aforesaid facts and circumstances, this application is allowed. The amended petition already filed by the applicants is taken on record.

10. This application is **disposed of**.

11. Response, if any, to the amended petition be filed within four weeks.

12. List the main appeal for consideration on 17.12.2025.

**(Shahzad Azeem)**  
**Judge**

**(Sindhu Sharma)**  
**Judge**

**Jammu:**

29.10.2025

Michal Sharma/PS

