

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3087/2026

Gajendra Singh Charan S/o Laxman Singh, Aged About 59 Years,
R/o Shree Karni Hospital Karlu Fanta, Karlu, Nagaur.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary,
Ayurved Department, Government Secretariat, Jaipur
(Raj.)
2. State Of Rajasthan, Through The Deputy Secretary,
Ayurved Department, Government Secretariat, Jaipur
(Raj.)
3. The Director, Directorate Of Ayurved, Rajasthan, Ajmer
Having Its Office At Ashok Marg, Savitri Chauraha, Ajmer,
Rajasthan-305001.
4. The Deputy Director, Ayurved Department, Nagaur,
District Nagaur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Gopal Sandu.
For Respondent(s)	:	Mr. Tananjay Parmar, for Mr. B.P. Bohra, Dy.G.C.

HON'BLE DR. JUSTICE NUPUR BHATI
Order

12/02/2026

1. The present writ petition is filed seeking relief in terms of judgment passed in the case of ***Dr. Mahesh Chandra Sharma & Ors. Vs. State of Rajasthan & Ors. (D.B. Civil Writ Petition No.13496/2021)*** and subsequent to the said decision, the Hon'ble Supreme Court, in the case of ***State of Rajasthan & Ors. Vs. Anisur Rahman (Special Leave Petition (C) No.9563/2024)***, passed the following order:

“10. In the meanwhile, the States and the authorities would be entitled to either continue the practitioners of indigenous systems of medicine, even after the age of superannuation specified for them till the age of superannuation provided for

MBBS doctors, without the benefit of regular pay and allowances. Eventually, if the larger Bench holds in favour of the AYUSH doctors, entitling them for enhancement in retirement age, the practitioners would be entitled to avail pay and allowances during the period they were continued. However, if they are not allowed to continue by virtue of this order still they would be entitled to avail the pay and allowances for the enhanced period, if the issue is held in their favour. If the State Government permits such continuance and the individual doctors do not take up such assignment without regular pay and allowances, they would be treated as retired and the fate of this reference will be inconsequential to them.

11. Considering the fact that if the AYUSH doctors are continued, they will not be entitled to pension also, it is directed that they shall be paid half of the pay and allowances, which, if the reference does not yield any favourable orders will be adjusted in their pension or otherwise against the regular pay and allowances.”

2. In view of the above cited judgment, the present writ petition is disposed of in terms of Para 10 of the judgment of the Hon’ble Supreme Court in the case of ***State of Rajasthan & Ors. Vs. Anisur Rahman (supra)***.

3. All pending applications, if any, stand disposed of.

(DR.NUPUR BHATI),J