



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

D.B. Civil Writ Petition No. 20153/2025

1. Dr. Hawa Singh Kumhar S/o Shri Lal Chand Kumhar, Aged About 62 Years, R/o 258, Seowa, Rajgarh, Churu, Rajasthan.
2. Dr. Gajendra Prasad Sharma S/o Shri Ram Chandra Sharma, Aged About 65 Years, R/o Fatehgarh, Jaisalmer, Rajasthan.

----Petitioners

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Department Of Ayurveda And Bhartiya Chikitsa, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Joint/deputy Secretary, Department Of Ayurveda And Bhartiya Chikitsa, Government Of Rajasthan, Secretariat, Group-4, Jaipur, Rajasthan.
3. State Of Rajasthan, Through Principal Secretary, Department Of Personnel, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
4. The Director, Directorate Of Ayurveda, Ashok Marg, Lohagal Road, Ajmer, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Himanshu Pareek
For Respondent(s)	:	Mr. N.S. Rajpurohit, AAG Ms. Kanchan Jodha

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

24/03/2026

1. The defects, as pointed out by the Office, are overruled.
2. Issue notice to the respondents.
3. Mr. N.S. Rajpurohit, learned Additional Advocate General accepts notice on behalf of respondent Nos.1 to 4.
4. Keeping in view the order dated 17.10.2025 passed in ***Special Leave Petition (C) No.9563/2024 titled as State of Rajasthan & Ors. Vs. Anisur Rahman***, we dispose of this writ



petition in the terms as directed by the Hon'ble Supreme Court which reads as under:-

"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."

5. It is made clear that our earlier order will have no application now in terms of the order dated 17.10.2025 passed by the Hon'ble Supreme Court.

6. The petition is, accordingly, disposed of. Pending application(s) also stand disposed of.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J