

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6210/2026

Dr. Ram Gopal Sharma S/o Dhnna Lal Shharma

----Petitioner

Versus

State of Rajasthan

----Respondent

Connected With

S.B. Civil Writ Petition No. 6211/2026

Dr. Rama Shankar Pareek S/o Badri Narayan Pareek

----Petitioner

Versus

State of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Bhuvnesh Tiwari
For Respondent(s)	:	Mr. Vishnu Dutt Sharma, AAAG to Mr. Bhuvnesh Sharma, AAG

HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

08/04/2026

1. This Court vide order dated 07.04.2026 directed the respondent No.3 Director, Directorate of Ayurved, Department of Ayurved and Bhartiya Chikitsa, Government of Rajasthan, Ajmer to remain present before this Court, who issued the order dated 24.03.2026 in violation of the order of the Hon'ble Supreme Court dated 16.02.2026 passed in SLP (C) No.6428/2026, whereby the Hon'ble Supreme Court passed the following order:-

"Issue notice to the respondent returnable on
11.05.2026.

In case any amount has already been paid to the respondent, the same shall not be recovered during pendency of the petition.

The High Court is requested to adjourn the hearing in the contempt petition filed by the respondent to a date after the date fixed in the present petition."

2. In compliance of the order dated 07.04.2026, the respondent No.3 - Anand Sharma, Director, Directorate of Ayurved, Ajmer is present before this Court, who issued the order dated 24.03.2026, who despite passing of the order by the Hon'ble Supreme Court dated 16.02.2026, has instructed all the Officers of the respective District to initiate recovery and deposit the amount in the exchequer. The order dated 24.03.2026 reads as under:-

"उपरोक्त विषयान्तर्गत लेख है कि आप द्वारा निम्नांकित सूची में अंकित चिकित्साधिकारियों को ऑफलाईन एवं IFMS 3.0 ऑटो फॉरवर्ड के माध्यम से वित्तीय नियमों/प्रावधानों की घोर अवहेलना करते हुये प्रोविजनल पेंशन के स्थान पर नियमित पेंशन स्वीकृत करवाई गई है।

अतः आपको निर्देशित किया जाता है कि 02 दिवस के भीतर संलग्न सूची में अंकित चिकित्साधिकारियों के पेंशन प्रकरण के संबंध में संबंधित क्षेत्रीय पेंशन कार्यालय से व्यक्तिशः सम्पर्क कर स्वीकृत की गई नियमित पेंशन बन्द करवाते हुये नियमानुसार प्रोविजनल पेंशन स्वीकृति की कार्यवाही आरम्भ करावें, साथ ही उपरोक्त चिकित्साधिकारियों को किये गये अधिक भुगतान की गणना कर प्राप्त अधिक राशि राजकोष में जमा करवाने हेतु संबंधित चिकित्साधिकारियों को तत्काल 02 दिवस में नोटिस जारी करावें।

प्रकरण में की गई कार्यवाही से तत्काल इस कार्यालय को अवगत कराया जाना सुनिश्चित करें।"

3. The said Officer further tried to justify his act of passing the order dated 24.03.2026, despite the fact that in the SLP specific directions were given not to initiate any recovery. On one hand, the contempt petition for non compliance of the order, which is under challenge before the Hon'ble Supreme Court is pending, the said Officer has the courage to issue a fresh order of recovery in violation of the order of the Hon'ble Supreme Court dated 16.02.2026 and order of this Court dated 11.11.2025. The conduct of the respondent-Officer is serious.

4. The Officer is directed to file his own affidavit specifying the steps taken by the Department between 16.02.2026 upto 24.03.2026 along-with the note-sheets and other proceedings carried out, which made him to issue this order, when the order dated 16.02.2026 passed by the Hon'ble Supreme Court is in currency.

5. In view of the above, operation of the order dated 24.03.2026 shall remain stayed

6. List these matters on 17.04.2026, as a 'first case'.

(RAVI CHIRANIA),J