



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Contempt Petition No. 1268/2025  
CNR: RJHC020909152025 | URN: CCP / 1349U / 2025

1. Dr. Purshottam Lal Sharma S/o Ramehswar Dayal Sharma, Aged About 62 Years, R/o H.no. 908 Shree Rameshwaram Bhawan, Pani Ki Tanki Ke Samne, B K Koul Nagar, Hanuman Vihar, Kotara Road, Ajmer, Rajasthan 305001
2. Dr. Ashutosh Vimal S/o Bhim Dev Baidh, Aged About 62 Years, R/o Ward No. 13,tamaku Wala Mohalla, Behror, Alwar

-----Petitioners

Versus

1. Shri Subir Kumar, Principal Secretary, Department Of Ayurved And Bhartiya Chikita, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. Shri Vaibhav Galriya, Additional Chief Secretary, Department Of Finance, Government Of Rajasthan, Secretariat, Jaipur
3. Shri Dr. Krishna Kant Pathak, Principal Secretary, Department Of Personnel, Government Secretariat, Government Of Rajasthan, Jaipur, Rajasthan.
4. Shri Anand Kumar Sharma, The Director, Department Of Ayurved, Government Of Rajasthan, Ajmer, Rajasthan.
5. Shri Devraj, The Director Pension Department, Government Of Rajasthan, Jyoti Nagar Jaipur
6. State Of Rajasthan, Through Its Principal Secretary, Department Of Ayurved And Bhartiya Chikita, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.

-----Respondents

Connected With

1. D.B. Civil Contempt Petition No. 895/2022  
(CNR: RJHC020694322022 | URN: CCP / 964U / 2022)
2. D.B. Civil Contempt Petition No. 103/2025  
(CNR: RJHC020060092025 | URN: CCP / 105U / 2025)
3. D.B. Civil Contempt Petition No. 239/2025  
(CNR: RJHC020203782025 | URN: CCP / 254U / 2025)
4. D.B. Civil Contempt Petition No. 263/2025

- (CNR: RJHC020247382025 | URN: CCP / 280U / 2025)
5. D.B. Civil Contempt Petition No. 479/2025  
(CNR: RJHC020410182025 | URN: CCP / 505U / 2025)
6. D.B. Civil Contempt Petition No. 480/2025  
(CNR: RJHC020406542025 | URN: CCP / 506U / 2025)
7. D.B. Civil Contempt Petition No. 505/2025  
(CNR: RJHC020423112025 | URN: CCP / 534U / 2025)
8. D.B. Civil Contempt Petition No. 656/2025  
(CNR: RJHC020556122025 | URN: CCP / 696U / 2025)
9. D.B. Civil Contempt Petition No. 792/2025  
(CNR: RJHC020653132025 | URN: CCP / 845U / 2025)
10. D.B. Civil Contempt Petition No. 849/2025  
(CNR: RJHC020695332025 | URN: CCP / 904U / 2025)
11. D.B. Civil Contempt Petition No. 864/2025  
(CNR: RJHC020709132025 | URN: CCP / 921U / 2025)
12. D.B. Civil Contempt Petition No. 871/2025  
(CNR: RJHC020708882025 | URN: CCP / 929U / 2025)
13. D.B. Civil Contempt Petition No. 872/2025  
(CNR: RJHC020709102025 | URN: CCP / 931U / 2025)
14. D.B. Civil Contempt Petition No. 885/2025  
(CNR: RJHC020723072025 | URN: CCP / 944U / 2025)
15. D.B. Civil Contempt Petition No. 895/2025  
(CNR: RJHC020737602025 | URN: CCP / 954U / 2025)
16. D.B. Civil Contempt Petition No. 908/2025  
(CNR: RJHC020760892025 | URN: CCP / 968U / 2025)
17. D.B. Civil Contempt Petition No. 909/2025  
(CNR: RJHC020761332025 | URN: CCP / 969U / 2025)
18. D.B. Civil Contempt Petition No. 912/2025  
(CNR: RJHC020742742025 | URN: CCP / 972U / 2025)
19. D.B. Civil Contempt Petition No. 1092/2025  
(CNR: RJHC020708622025 | URN: CCP / 1158U / 2025)
20. D.B. Civil Contempt Petition No. 1129/2025  
(CNR: RJHC020873232025 | URN: CCP / 1197U / 2025)
21. D.B. Civil Contempt Petition No. 1145/2025  
(CNR: RJHC020896102025 | URN: CCP / 1213U / 2025)
22. D.B. Civil Contempt Petition No. 1146/2025

(CNR: RJHC020896132025 | URN: CCP / 1214U / 2025)

23. D.B. Civil Contempt Petition No. 1159/2025

(CNR: RJHC020876862025 | URN: CCP / 1227U / 2025)

24. D.B. Civil Contempt Petition No. 1160/2025

(CNR: RJHC020876812025 | URN: CCP / 1228U / 2025)

25. D.B. Civil Contempt Petition No. 1161/2025

(CNR: RJHC020876912025 | URN: CCP / 1229U / 2025)

26. D.B. Civil Contempt Petition No. 1164/2025

(CNR: RJHC020876832025 | URN: CCP / 1232U / 2025)

27. D.B. Civil Contempt Petition No. 1165/2025

(CNR: RJHC020876872025 | URN: CCP / 1233U / 2025)

28. D.B. Civil Contempt Petition No. 1166/2025

(CNR: RJHC020876822025 | URN: CCP / 1234U / 2025)

29. D.B. Civil Contempt Petition No. 1168/2025

(CNR: RJHC020876772025 | URN: CCP / 1236U / 2025)

30. D.B. Civil Contempt Petition No. 1169/2025

(CNR: RJHC020876762025 | URN: CCP / 1237U / 2025)

31. D.B. Civil Contempt Petition No. 1171/2025

(CNR: RJHC020876742025 | URN: CCP / 1239U / 2025)

32. D.B. Civil Contempt Petition No. 1172/2025

(CNR: RJHC020876892025 | URN: CCP / 1240U / 2025)

33. D.B. Civil Contempt Petition No. 1183/2025

(CNR: RJHC020885922025 | URN: CCP / 1251U / 2025)

34. D.B. Civil Contempt Petition No. 1214/2025

(CNR: RJHC020920762025 | URN: CCP / 1284U / 2025)

35. D.B. Civil Contempt Petition No. 1258/2025

(CNR: RJHC020975392025 | URN: CCP / 1336U / 2025)

36. D.B. Civil Contempt Petition No. 1266/2025

(CNR: RJHC020980872025 | URN: CCP / 1346U / 2025)

37. D.B. Civil Contempt Petition No. 1397/2025

(CNR: RJHC021048132025 | URN: CCP / 1494U / 2025)

38. D.B. Civil Contempt Petition No. 1419/2025

(CNR: RJHC021118672025 | URN: CCP / 1516U / 2025)

39. D.B. Civil Contempt Petition No. 142/2026

(CNR: RJHC021048592025 | URN: CCP / 156U / 2026)

40. D.B. Civil Contempt Petition No. 165/2026



(CNR: RJHC020088052026 | URN: CCP / 181U / 2026)

41. D.B. Civil Contempt Petition No. 551/2026

(CNR: RJHC020268252026 | URN: CCP / 587U / 2026)

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| For Petitioner(s) | : | Mr. Bhuvnesh Tiwari<br>Mr. Pranjal Vyas<br>Mr. Naresh Singhal<br>Mr. Bantoo Mali<br>Ms. Nandini Verma for<br>Mr. Kamal Kant Sharma<br>Ms. Neetu Bhansali<br>Mr. Jaivardhan Singh Shekhawat |
| For Respondent(s) | : | Ms. Mahi Yadav, AAG with<br>Ms. Chelsi Agarwal, AAAG<br>Mr. Kuldeep Singh Rathore, AAAG<br>Mr. Bhuvnesh Sharma, AAG with<br>Mr. Vishnu Dutt Sharma, AAAG<br>Ms. Epsa Nangalia              |

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**HON'BLE MR. JUSTICE ARUN MONGA**  
**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**Order(Oral)**

**20/08/2026**

**Per: Arun Monga, J.**

1. This bunch of contempt petitions seeks initiation of proceedings against the respondents for deliberate disobedience of the judgment dated 14.11.2024 passed by this Court in D.B. Civil Writ Petition No. 17275/2024, titled Dr. Dhanesh Sharma and others v. State of Rajasthan and others. The petitioners further seek release of all consequential benefits, including monetary benefits towards salary, by treating them as having continued in service up to the age of 62 years.
2. For the sake of brevity, the facts are taken from D.B. Civil Contempt Petition No. 1268/2025, titled Dr. Purshottam Lal Sharma v. Shri Subir Kumar.
  - 2.1 The petitioners were appointed as Ayurved Chikitsa Adhikari in the Department of Ayurved and Bhartiya Chikitsa, Government of

Rajasthan. Petitioner No. 1 was appointed on 21.07.1989. He was serving as Principal Medical Officer, Government Ayurvedic Hospital, Ramnagar, Ajmer, and superannuated on 31.07.2023. Petitioner No. 2 was appointed on 06.06.1988. He was serving as Additional Director, Directorate of Ayurved and Bhartiya Chikitsa, Ajmer, and superannuated on 31.03.2023. By notifications dated 31.03.2016 and 30.03.2018, the Finance Department enhanced the age of superannuation of Allopathic doctors from 60 years to 62 years. The petitioners, being Ayurvedic doctors, continued to be governed by the age of 60 years. This Court examined that distinction in Dr. Mahesh Chandra Sharma and others v. State of Rajasthan and others, D.B. Civil Writ Petition No. 13496/2021, decided on 13.07.2022. The said notifications were held to be discriminatory. Doctors who had retired after 31.03.2016 were held entitled to continue in service up to the age of 62 years, with consequential benefits including refixation of pension.

2.2 The petitioners thereafter approached this Court in D.B. Civil Writ Petition No. 17275/2024, titled Dr. Dhanesh Sharma and others v. State of Rajasthan and others. That petition was disposed of on 14.11.2024 in terms of the earlier judgment in Dr. Mahesh Chandra Sharma and the connected matters. It was held that the petitioners were entitled to continue in service up to the age of 62 years with all consequential benefits, if they had not already attained that age.

2.3 Pursuant thereto, the petitioners submitted representations dated 21.11.2024 along with a certified copy of the order. The Department issued an order dated 11.12.2024 for their reinstatement, subject to deposit of the retiral dues already received by them. No effective mechanism or reasonable time was, however, provided at that stage for making such deposit. By subsequent orders dated 26.03.2025 and

28.03.2025, the petitioners were directed to deposit the retiral dues under specified budget heads. By that time, only a short period remained before the petitioners attained the age of 62 years. The petitioners contend that, having retired in 2023 and having utilised their retiral dues, it was impracticable for them to arrange and deposit such substantial amounts within so short a period. They could not, therefore, resume service before attaining the age of 62 years.

2.4 The petitioners then submitted representations seeking salary and other consequential benefits for the period up to the age of 62 years, including continuity of service and refixation of pension. No effective action followed. They accordingly served a legal notice dated 25.08.2025 upon the respondents. Their case is that the failure to extend the benefits granted by the order dated 14.11.2024, despite the representations and the legal notice, has denied them continuity of service, salary and consequential pensionary benefits for the period up to the age of 62 years. Hence these contempt petitions.

3. Per contra, learned counsel for the State/contemnors opposes the petitions and seeks their dismissal. He submits that no case of contempt is made out. According to him, there has been no wilful or deliberate disobedience of the order dated 14.11.2024, and such action as was required has been taken by the Department.

4. We have heard learned counsel for both sides and perused the record.

5. At this stage it would be apposite to refer to the relevant paragraphs of the order dated 14.11.2024 passed by this Court in D.B. Civil Writ Petition No. 17275/2024, titled Dr. Dhanesh Sharma and others v. State of Rajasthan and others. The same are reproduced hereinbelow for ready reference.

*“Counsel for the petitioners submits that the issue involved in this petition has been considered and decided by the Co-ordinate Bench of this court in the matter of Dr. Babu Lal Sharma & Ors. Vs. State of Rajasthan & Ors. (D.B. Civil Writ Petition No.16800/2024) decided on 25.10.2024, wherein the following order was passed:-*

*“1. After the order was passed by this Court earlier on 20.09.2024 in another petition, new developments have been brought to the notice of this Court, one of them regarding dismissal of the Review Petition by the Hon'ble Supreme Court filed in the case of State of Rajasthan & Ors. Vs. Dr. Mahesh Chandra Sharma & Ors. on 15.10.2024, as stated at the bar by learned counsel for the petitioners.*

*2. Learned counsel for the petitioners has also placed before this Court order dated 27.09.2024 passed by the Hon'ble Supreme Court in the case of The State of Rajasthan & Ors. Vs. Pyare Lal Meena & Ors. (Special Leave Appeal (C) No. 10560/2024), wherein the Hon'ble Supreme Court has clarified that there is no stay on the judgment of the High Court and further that in the event the outstanding towards salary has not been paid, the same shall be cleared within a period of one week. Learned counsel for the petitioners further submitted that the petitioner No.1 has retired from service on 31.08.2023, Petitioner No.2 has retired from service on 31.07.2023. Petitioner No.3 has retired from service on 30.06.2024. Petitioners No.4 & 5 have retired from service from 31.07.2024. Petitioner No.6 has retired from service on 30.06.2023.*

*3. In view of the above developments, we need not keep this petition pending and same is also finally disposed off in terms of order passed earlier by this Court in the case of Dr. Mahesh Chandra Sharma & Ors. Vs. State of Rajasthan & Ors. and other connected matters (D.B. Civil Writ Petition No.13496/2021), decided on 13.07.2022. The petitioners will be entitled to the same relief as was granted in the aforesaid cases, meaning thereby, the petitioners are entitled to reinstatement as they have not completed 62 years of age with all consequential benefits including monetary benefits to continue in service upto the age of 62 years.”*

*Learned Additional Advocate General has not disputed the submission made by counsel for the petitioners.*

*In that view of the matter, this writ petition is disposed of in view of the judgment passed by the Co-ordinate Bench of this court in the matter of Dr. Babu Lal Sharma (supra).”*

6. In this batch of petitions, the common grievance is that, by a judgment of a Division Bench of this Court, Ayurvedic doctors serving under the State were held entitled to parity with Allopathic doctors on the age of superannuation, and consequently to continue in service until the age of 62 years instead of 60 years. Some of the petitioners seek continuation in service. Others seek arrears of salary for the intervening

period of two years, during which they admittedly rendered no service, having retired on attaining the age of 60 years.

7. At one stage the Special Leave Petition challenging the judgment of the Division Bench came to be dismissed by the Hon'ble Supreme Court. It now transpires, however, that the view taken by the Division Bench of this Court has been referred to a larger Bench of the Hon'ble Supreme Court by order dated 17.10.2025 passed in SLP(C) No. 009563/2024 titled *State of Rajasthan v. Anisur Rehman*.

8. It is therefore evident that the rights of Ayurvedic doctors in this regard have not attained finality. Those rights will ultimately be governed by the decision of the larger Bench of the Hon'ble Supreme Court.

9. In the interregnum, we are of the view that the relief sought by the petitioners is premature. Granting such relief at this stage may also lead to multiplicity of litigation, particularly if the stand of the State is ultimately upheld by the larger Bench.

10. In these circumstances, we are of the considered opinion that no case for contempt is made out against the State officials at this stage. The contempt proceedings are accordingly dropped. The notices issued to the alleged contemnors stand discharged. The petitioners shall, however, be at liberty to seek appropriate relief in future, subject to and in accordance with the outcome of the proceedings before the larger Bench.

11. The petitioners shall be at liberty either to seek revival of the present proceedings or to institute fresh proceedings, as may be permissible in law and warranted by the circumstances.

12. Before parting, learned counsel for the petitioners have brought to our notice that some of the petitioners were taken back into service

after having initially retired on attaining the age of 60 years. They thereafter continued in service up to the age of 62 years and superannuated again. Their retiral dues have not yet been disbursed.

13. We find no reason why the pendency of the proceedings before the larger Bench should operate as an impediment in the case of those petitioners who have actually rendered service up to the age of 62 years and thereafter retired. We accordingly expect the respondents to examine such cases and to take an appropriate decision, as expeditiously as possible, for release of the retiral dues payable to them.

14. The petitioners shall also be at liberty to submit individual representations before the competent authorities setting out their respective grievances. Such representations shall be considered and decided expeditiously, in accordance with law.

15. All pending applications also stand disposed of.

**(ASHUTOSH KUMAR),J**

**(ARUN MONGA),J**

63-104/TUSHAR KUMAWAT