

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



D.B. Civil Writ Petition No. 19644/2024

Dr Shashi Lata Saini C/o Shri Tilakram Saini, Aged About 63 Years, Resident Of Flat No. 904, Tower C, Stellar Jeevan Society, Near Bistrakh Village, Sector 1, Greater Noida West, Bishrakh, Po I.a. Surajpur, Dist. Gautam Buddha Nagar, Uttar Pradesh-201306

----Petitioner

Versus

1. State Of Rajasthan, Through Its Additional Chief Secretary, Department Of Finance (Rules Division), Government Of Rajasthan, Government Secretariat, Jaipur.
2. The Principal Secretary, Ayurved And Bhartiya Chikitsa Vibhag, Government Of Rajasthan Government Secretariat Jaipur.
3. The Deputy Secretary, Ayurved And Bhartiya Chikitsa Vibhag, Government Of Rajasthan Government Secretariat, Jaipur.
4. The Director, Ayurved And Bhartiya Chikitsa Vibhag, Government Of Rajasthan Ajmer.
5. Director, Pension And Pensioners Welfare, Government Of Rajasthan, Jyoti Nagar, Lalkothi Jaipur.

----Respondents

For Petitioners	:	Mr. Yash Tiwari, Adv. with Mr. Vishwas Sharma, Adv.
For Respondents	:	Mr. Samee Khan, Adv. on behalf of Mr. Bhunesh Sharma, Additional Advocate General.

**HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE BHUWAN GOYAL**

Order

03/01/2025

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** on 15.10.2024, as stated at the bar by learned counsel for the petitioner.
2. Learned counsel for the petitioner 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 to 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 petitioner further submitted that in the present case, the petitioner has retired and crossed the age of 62 years as on date.
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. As the petitioner has

retired and crossed the age of 62 years, she shall be deemed to have continued in service upto 62 years. This will require the respondents-authority to pass necessary orders treating her in service till attaining the age of 62 years in individual cases with consequential benefits of continuity of service. All other consequential action would also be required to be taken which include refixation of pension and other benefits.

(BHUWAN GOYAL),J

(MANINDRA MOHAN SHRIVASTAVA),CJ