

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No.11743/2024

**BHANWAR LAL DUGGAR AYURVED
VISHWA BHARTI**

APPELLANT

VERSUS

THE STATE OF RAJASTHAN & ORS.

RESPONDENTS

WITH

CIVIL APPEAL No.11744/2024

**BHANWAR LAL DUGGAR AYURVED
VISHWA BHARTI AND ANR.**

APPELLANTS

VERSUS

**DR. RAMANAND JHA AND ORS.
AND ORS.**

RESPONDENTS

O R D E R

1. We have heard learned counsel for the appellant – Bhanwar Lal Duggar Ayurved Vishwa Bharti, Sardarshahr¹, learned counsel for the respondent-State of Rajasthan and learned counsel for the private respondents.

2. D. B. Civil Special Appeal (Writ) No. 278 of 2010² was disposed of on 17th August, 2016 by a Division Bench of the High Court of Rajasthan

¹ appellant-institution

² State of Rajasthan & Ors. vs. Dr. Raj Singh Malik & Ors.

at Jodhpur³ relying upon the judgment and order of even date (17th August, 2016) in D. B. Civil Special Appeal (Writ) No.415 of 2014⁴ passed by it. Both the judgment(s) dated 17th August, 2016 are under challenge in these appeals by special leave, granted on 15th October, 2024.

3. Facts giving rise to the special appeals have been delineated by the High Court in the impugned judgment while disposing of D. B. Civil Special Appeal (Writ) No.415 of 2014; in view thereof, we do not repeat the facts herein. Suffice it to note that the appellant-institution on and from 2010-11 came to be governed by the statutes of the Rajasthan Ayurved University, Jodhpur which fixed the retirement age of the employees at 60 (sixty) years. Submission made on behalf of the appellant-institution before the High Court, also supported by the State of Rajasthan, was that the appellant-institution is governed by the Rajasthan Ayurvedic Donation Assistance Rules, 1972⁵. Incidentally, in terms of the 1972 Rules, the retirement age of the employees is 58 years. However, such submission was not accepted by the High Court.

4. We are, however, of the view that the High Court (for the reasons it assigned) was right in not accepting the submission of the appellant-institution that it was governed by the 1972 Rules. Appellant-institution had on an earlier occasion opted out of the 1972 Rules, whereupon it came to be regulated by the statutes of the Rajasthan Ayurved University, Jodhpur.

3 High Court

4 Dr. Ramanand Jha vs. State of Rajasthan & Ors.

5 1972 Rules

5. Even otherwise, the appellant-institution did not challenge the judgment and order dated 14th October, 2008 passed by the Single Judge of the High Court passed in the writ petition⁶ by preferring an intra-court appeal. Such an appeal was preferred only by the State of Rajasthan. We are of the considered opinion that not having appealed the Single Judge's judgment, the appellant-institution must be deemed to have accepted the same and the appeals filed by the appellant-institution before us, from the decision on the State's intra-court appeal, is not maintainable.

6. For the twin reasons referred to above, we find no reason to entertain the civil appeals.

7. The civil appeals are, accordingly, dismissed.

8. Pending application(s), if any, shall stand disposed of.

9. No costs.

10. The order of the Single Judge may be implemented by the appellant-institution, if not already implemented, within 4 weeks.

.....J.
(DIPANKAR DATTA)

.....J.
(SHEEL NAGU)

**New Delhi;
August 04, 2026.**

6 S. B. Civil Writ Petition No.3314/2006

ITEM NO.102

COURT NO.7

SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.11743/2024

BHANWAR LAL DUGGAR AYURVED
VISHWA BHARTI

Appellant

VERSUS

THE STATE OF RAJASTHAN & ORS.

Respondents

I.A. No.132145/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

WITH

C.A. No.11744/2024 (XV)

I.A. No.42881/2022-EXEMPTION FROM FILING O.T.

I.A. No.42880/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

I.A. No.132045/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

Date : 04-08-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Appellant(s) : Mr. Himanshu Uppadhyaya, Adv.
Mr. P. N. Puri, AOR
Mrs. Reeta Dewan Puri, Adv.

For Respondent(s) : Mr. K. Paari Vendhan, AOR
Mr. Rishabh Sancheti, Adv.
Ms. Padma Priya, Adv.
Mr. Nishant Kumar, Adv.
Mr. Aquib Ali Khan, Adv.
Ms. Devanshi Sancheti, Adv.

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Shivansh B. Pandya, Adv.
Mr. Saurabh Rajpal, AOR

Mr. Aakarshan Aditya, AOR
Mr. Satish Chand Kaushik, Adv.
Mr. Vibhu Tiwari, Adv.

Dr. P. V. Saravanaraja, AOR

**UPON hearing the counsel the Court made the following
O R D E R**

1. The civil appeals are dismissed in terms of the signed order.
2. Pending application(s), if any, shall also stand closed.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)