

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 521/2020

Krishna Kumari, Aged 62 years,
Assistant Director (Ay.),
Incharge Regional Ayurveda,
Research Institute for Urinary Disorders,
Jammu.
W/o Dr. Girdhari Lal,
R/o H. No. 85, Kabir Nagar,
Talab Tillo, Jammu.

.....Applicant(s)/Petitioner(s)

Through :- Mr. Pranav Kohli, Sr. Advocate with
Mr. Muddassir Zubair, Advocate

v/s

1. U O I through Secretary to Government,
Ministry of Ayurveda, Yoga and Naturopathy,
Unani, Siddha and Homeopathy,
Government of India, New Delhi,
Ayush Bhawan, B-Block GPO Complex,
New-Delhi 110023. Respondent(s)
2. Central Council for Research in Ayurvedic Sciences,
Ministry of Ayush, Govt. of India,
Jawahar Lal Nehru Bhartiya Chikitsa Evam
Homeopathy Anusandhan Bhawan,
61-65 Institutional Area Opposite D Block, Janakpur
New Delhi-110058.
3. Director General,
Central Council for Research in Ayurvedic Sciences,
Janakpuri, New Delhi-110058.
4. Director, Incharge Regional Ayurved Research
Institute for Urinary Disorder, Jammu.

Through :- Mr. Vishal Sharma, DSGI

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE**

**ORDER
30.12.2024**

1. The writ petitioner was working as Assistant Director (Ayurveda)
in the Central Council for Research in Ayurvedic Sciences
(CCRAS)-an autonomous body functioning under the Ministry of

Ayush, Government of India. She approached this Court by way of a writ petition being SWP No. 3001 of 2017 seeking her age of retirement as 65 years on the analogy of such enhancement made by the Government in respect of Medical Officers under the Ministry of Ayush. The writ petition (supra) was transferred to the Central Administrative Tribunal, Chandigarh Bench (Circuit Bench at Jammu) and was listed as OA No. 061/00797/2018. The OA (supra) was dismissed by the Tribunal vide its judgment dated 30.08.2019. It is this order of the Tribunal dated 30.08.2019 which is called in question by the petitioner invoking extraordinary jurisdiction of this Court.

2. When the matter is taken up for consideration, learned counsel appearing on both the sides fairly submit that the issue raised in the writ petition is no longer *res integra* in view of the judgment passed by the Supreme Court of India in **Central Council for Research in Ayurvedic Sciences & Anr. Vs. Bikartan Das & Ors.**, AIR 2023 SC 4011.
3. Mr. Kohli, learned Senior counsel appearing for the petitioner, therefore, submits that in view of the judgment (supra) passed by the Supreme Court, the petitioner does not have a case to argue before this Court.
4. **Having heard learned counsel for the parties and perused the material available on record**, we are in agreement with the learned counsel for the parties that the controversy raised in this petition has been set at rest by the Supreme Court in the case of

Bikartan Das (supra). The petitioner, who was an employee of Central Council for Research in Ayurvedic Sciences (CCRAS), an autonomous institution, would be governed by its rules and regulation, particularly pertaining to the age of superannuation. As is rightly held by the Supreme Court that the respondents cannot claim the benefit of enhancement of age of superannuation simply on the ground that the Ministry of Ayush has enhanced such age of Medical Officers working in the Ministry of Ayush. The autonomous body like the CCRAS has its own rules and regulation and, therefore, the employees working therein would be governed by such rules and regulations particularly those pertaining to the age of superannuation.

5. In view of the aforesaid, **we find no merit in this petition and the same is accordingly, dismissed** along with connected application(s), if any.
6. **Interim directions, if any, shall stand vacated.**

(Puneet Gupta)
Judge

(Sanjeev Kumar)
Judge

JAMMU
30.12.2024
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Whether the order is speaking : Yes/No

Whether the order is reportable : Yes/No