IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 582 of 2022
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1. Dr. Chandra Bhushan Sharma, aged about 65 yrs., S/O Late Buddhi Nath Sharma, Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O Flat No. 2B, Shakuntala Smriti Apartment, Bakshi Compound, P.O. & P.S.- Bariatu, Distt- Ranchi, Jharkhand
2. Dr. Rajiv Kumar Gupta, aged about 65 yrs, S/O Late Raghu Nandan Prasad, Professor, Department of Eye, Rajendra Institute of Medical Sciences, Ranchi and R/O Thana Chowk, Mahalaxmi Nursing Home, P.O. & P.S. Ramgarh, Distt.- Ramgarh, Jharkhand
3. Dr. Renu Prasad, aged about 67 yrs., W/O Dr. Rajesh Kumar, Ex-Professor, Department of Anatomy, Rajendra Institute of Medical Sciences, Ranchi and R/O 15, Old A G Colony, Kadru, P.O.- Hinoo, P.S.- Argora, Distt.- Ranchi, Jharkhand
4. Dr. Prabhat Kumar, aged about 60 yrs., S/O Mr. Shreekant Prasad, Associate Professr, Department of Skin, Rajendra Institute of Medical Sciences, Ranchi and R/O 6B, Kalakriti Apartment, ANANDGRAM, Morabadi, P.O. & P.S. Bariatu, Distt.- Ranchi, Jharkhand
5. Dr. Ramesh Kumar Srivastav, aged about 68 yrs, S/O Late B. L. Srivastav, Ex- Professsor, Department of Pathology, Rajendra Institute of Medical Sciences, Ranchi and R/O 103-B, Ratnawali Apartment, Lili Cottage Lane, P.O. & P.S.- Lalpur, Distt. ranchi, Jharkhand
6. Dr. Dharmendra Kumar, aged about 57 yrs., S/O Late Dineshwar Prasad, Professor, Department of Anatomy, Rajendra Institute of Medical Sciences, Ranchi and R/O Krishna Nursing Home, Near Buti School, P.O.- Buti, P.S.- Sadar, Distt.- Ranchi, Jharkhand
7. Dr. Poonam Singh, aged about 67 yrs., W/O Dr. K. K. Singh, Ex-Professor, Department of Physiology, Rajendra Institute of Medical Sciences, Ranchi and R/O Tagore Hill Road, Near Raj Palace, Morabadi, P.O.- Ranchi University, P.S.- Bariatu, Distt.-Ranchi, Jharkhand
8. Dr. Bankim Chandra Adhikari, aged about 67 yrs., S/O Late Gopal Chandra Adhikari, Ex-Professor, Department of Pathology, Rajendra Institute of Medical Sciences, Ranchi and R/O "Vasudha", New A G Coperative Colony, Kadru, P.O.- Hinoo, P.S.- Argora, Distt.- Ranchi, Jharkhand
9. Dr. Binod Kumar Sinha, aged about 63 yrs., S/O Late Maheshwari Prasad Sinha, Professor, Department of ENT, Rajendra Institute of Medical Sciences, Ranchi and R/O 135C, Road No. 4, Ashoknagar, P.O.-Doranda, P.S.- Argora, Distt.- Ranchi, Jharkhand
10. Dr. Sarita Tirkey, aged about 65 yrs.; W/O Dr. Ravi Bhusan Deep Ekka, Professor, Department of Obst. & Gynecology, Rajendra Institute of Medical Sciences, Ranchi and R/O Block-B/501, Vatika Apartment, P.O. Chutia, P.S. Lower Bazar, Distt. Ranchi. Jharkhand

11. Dr. Jiwan Kumar Mitra, aged about 67 yrs., S/O Dr. Late K.C. Mitra, Ex-Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O Jeewan Deep, Shukla Colony, P.O.-Hinoo, P.S.- Doranda, Distt. Ranchi, Jharkhand
12. Dr. Yashwant Anant Lal, aged about 66 yrs., S/O Dr. Basant Lal. Associate Professor, Department of Skin & V.D, Rajendra Institute of Medical Sciences, Ranchi R/O Aryapuri, Ratu Road, P.O. -Hehal, P.S.- Sukhdeonagar, Distt.- Ranchi, Jharkhand
13. Dr. Hemant kumar Pal, aged about 65 yrs., S/O Late Ramdhani Ram, Associate Professor, Department of Skin & V.D., Rajendra Institute of Medical Sciences, Ranchi R/O 201, Sudev Apartment, Old Commissioner Compound, P.O. Ranchi GPO, P.S.- Kotwali, Distt. Ranchi, Jharkhand
14. Dr. Anand Kumar, aged about 62 yrs., S/O Late R. G. Sahu, Associate Professor, Department of Skin & V.D., Rajendra Institute of Medical Sciences, Ranchi R/O BK Sahay Compound, Udhav Babu Lane, P.O.- GPO, P.S.- Lalpur, Distt.- Ranchi, Jharkhand
15. Dr. Ashok Kumar Dubey, aged about 64yrs., S/O Shiv Kr. Dubey, Professor, Department of Anatomy, Rajendra Institute of Medical Sciences, Ranchi R/O B-62, Harmu Housing Colony, P.O. & P.S.-Doranda, Distt.- Ranchi, Jharkhand
16. Dr. Kumari Sandhya, aged about 59 yrs., D/o R.P.Sinha, Professor, Department of Anatomy, Rajendra Institute of Medical Sciences, Ranchi R/O C-172, Road No. 4, Ashoknagar, P.O.- Doranda, P.S.-Argora, Distt.- Ranchi, Jharkhand
17. Dr. Krishna Kumar Prasad Singh, aged about 64 yrs., S/O Late Rameshwar Singh, Associate Professor, Department of Anatomy, Rajendra Institute of Medical Sciences, Ranchi R/O Road no. 2, University Colony, P.O. & P.S.- Bariatu, Distt.- Ranchi, Jharkhand
18. Dr. Ajay Kumar Srivastav, aged about 65 yrs., S/O Late Jaleshwar Prasad, Professor, Department of Pathology, Rajendra Institute of Medical Sciences, Ranchi R/O 57, Circular Road, P.O. & P.S.-Lalpur, Distt.- Ranchi, Jharkhard
19. Dr. Rabindra Kumar Singh, aged about 65yrs., S/O Late D. P. Singh, Associate Professor, Department of Pathology, Rajendra Institute of Medical Sciences, Ranchi R/O Road no. 2, University Colony, P.O. & P.S.- Bariatu, Distt.- Ranchi, Jharkhand
20. Dr. Anshu Jamaiyar, aged about 60 yrs., S/O Late K. K. Jamaiyar, Associate Professor, Department of Pathology, Rajendra Institute of Medical Sciences, Ranchi R/O E4/1B, SAIL city, P.O - Dhurwa, P.S.. Jagarnathpur, Distt.- Ranchi, Jharkhand
21. Dr. Rajesh Kumar Sinha, aged about 62 yrs., S/O Late Krishna Kumar Sinha, Associate Professor, Department of Physiology, Rajendra Institute of Medical Sciences, Ranchi R/O 405, Ganesh Apartment, HanumanNagar, Booty More, P.O. & P.S. - Bariatu, Distt. Ranchi, Jharkhand

22. Dr Lal Bahadur Manjhi, aged about 64 yrs., S/O Late Deosharan Manjhi, Professor, Department of Orthopaedics, Rajendra Institute of Medical Sciences, Ranchi R/O Harihar Singh Road, P.O.-Morabadi, P.S.- Bariatu, Distt.- Ranchi, Jharkhand
23. Dr Dharmendra Kumar Mishra, aged about 64 yrs., S/O Late Surendra Nath Mishra, Professor, Department of Skin & V.D., Rajendra Institute of Medical Sciences, Ranchi R/O Flat no. 1C, Samvridhi Tower, RIMS Medical Chowk, P.O. & P.S.- Bariatu, Distt.-Ranchi, Jharkhand
24. Dr. Chandra Shekhar Prasad, aged about 65 yrs., S/O Raj Kishore Mandal, Professor, Department of FMT, Rajendra Institute of Medical Sciences, Ranchi R/O Flat No. 202, Sai Sadan, Booty Road, P.O.-RMCH, P.S.- Bariatu, Distt. Ranchi, Jharkhand
25. Dr. Mary Pushpa Bara, aged about 60 yrs., W/O Paikas Nemhas Kujur, Professor, Department of Physiology, Rajendra Institute of Medical Sciences, Ranchi R/O Road no. 16, Opp. S.D.A Mission Hospital, P.O.- Bariatu,, P.S.- Sadar, Distt. Ranchi, Jharkhand
26. Dr. Mani Bhushan Kumar Sinha, aged about 58 yrs., S/O Late Keshav Kumar Sinha, Associate Professor, Department of Physiology, Rajendra Institute of Medical Sciences, Ranchi and R/O D-205, Triveni Apartment, Air Port Road, P.O.- Hinoo, P.S.- Doranda, District-Ranchi, Jharkhand
27. Dr. Mritunjay Sarawgi, aged about 65 yrs., S/O Late Dina Nath Sarawgi, Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O M.G. Sarawgi Seva Niketan, Kanke Road, P.O.- Ranchi University, P.S. Gonda Town, District-Ranchi, Jharkhand
28. Dr. Marshall Daud Kerketta, aged about 52 yrs., S/O Late W.K.S. Kerketta, Associate Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Chiraundi, Opp. Ranchi Science Centre, P.O.- Boreya, P.S.- Bariatu, Distt.- Ranchi, Jharkhand
29. Dr. Satish Chandra, aged about 67 yrs., S/O Late Sant Kumar, Associate Professor, Department of Pharmacology, Rajendra Institute of Medical Sciences, Ranchi and R/O Qtr. No.- 09, Doctor's Colony, P.O. - RMCH, P.S.- Bariatu, Distt.- Ranchi, Jharkhand
30. Dr. Minni Rani Akhouri, aged about 67 yrs., W/O Ravi Data, Professor, Department of Paediatrics, Rajendra Institute of Medical Sciences, Ranchi and R/O 187C, Vidyalaymarg, P.O.- Doranda, P.S.-Argora, Distt.- Ranchi, Jharkhand
31. Dr. Meena Mehta, aged about 59 yrs., D/O J.P. Mehta, Associate Professor, Department of Obstetrics & Gynaecology, Rajendra Institute of Medical Sciences, Ranchi and R/O H.No.- 374B, Ashna, Makchund Toli, Near Oxford School, P.O.- Chutia, P.S.- Lower Bazar, Distt. Ranchi, Jharkhand
32. Dr. Bela Rose Ekka, aged about 60 yrs., W/o Dr. Ashish Kumar Lakra, Professor, Department of Biochemistry, Rajendra Institute of Medical Sciences, Ranchi and R/O New Garden,

Siram Toli, Club Road, P.O.- GPO, P.S.- Chutia, Distt.- Ranchi, Jharkhand

33. Dr. Binay Kumar, aged about 59 yrs., S/O Sidheshwar Nath Verma, Associate Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Flat No. 2D, Shakuntala Apartment, P.O. & P.S.- Bariatu, Distt.- Ranchi, Jharkhand

34. Dr. Shital Malua, aged about 63 yrs., S/O Late Govind Malua, Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Firing Ranga, Booty Road, P.O. & P.S.-Bariatu, Distt. Ranchi, Jharkhand

35. Dr. Vinay Pratap, aged about 65 yrs., S/O Late Ramashish Prasad, Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O 401, Govind Tower, Harihar Singh Road, P.O. & P.S.- Bariatu, Distt. Ranchi, Jharkhand

36. Dr. Ranjan George Baxla, aged about 65 yrs, S/O Late Marcel Baxla, Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi R/O Samlang P.O & P.S-Namkum Distt-Ranchi Jharkhand.

37. Dr. Vinod Kumar, aged about 67 yrs., S/O/ Late Manbodh Ram, Ex-Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Ganga -2, Vastu Vihar Mesra, P.O.- BIT Mesra, P.S.- Sadar, distt. Ranchi, Jharkhand

38. Dr. Dipendra Kumar Sinha, aged about 62 yrs, S/O Late Krishna Murari Sharan Sinha Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Down Tagore Hill, Ravindra Nagar, Chirondi, P.O-University Post Office, P.S- Bariatu, Distt- Ranchi, Jharkhand.

39. Dr. Vivek Kashyap, aged about 66 yrs, S/O Late Birendra Narain Gupta, Professor, Department of P.S.M, Rajendra Institute of Medical Sciences, Ranchi and R/O 701, Block 11, Sector 1, Khelgaon, P.O & P.S.- Hotwar, Dist.- Ranchi, Jharkhand

40. Dr. Sanjay Kumar Singh, aged about 63 yrs., S/O Late Dhananjay Prasad Singh, Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O E/Block B, Raj Apartment, P.O. & P.S.- Bariatu, Dist.- Ranchi, Jharkhand

41. Dr. Amar Verma, aged about 65 yrs., S/O Late B. K. Verma, Professor, Department of Paediatrics, Rajendra Institute of Medical Sciences, Ranchi and R/O 6C, Jyoti Vihar, Harmu By Pass Road, P.O.- Harmu, P.S.- Argora, Dist.- Ranchi, Jharkhand

42. Dr. Azizul Haque, aged about 61 yrs., S/O Late Md. Yasin, Associate Professor, Department of Anesthesia, Rajendra Institute of Medical Sciences, Ranchi and R/O 3D, Khan complex, P.O. RMCH, P.S.-Bariatu, Dist.- Ranchi, Jharkhand

43. Dr. Chandra Bhushan Sahay, aged about 64 yrs., S/O Late Lala Gopalji Sahay, Professor, Department of Neurosurgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Flat No.-302, Sucharu Apartment, P.O.- Bariatu, P.S.- Bariatu, District-Ranchi, Jharkhand

44. Dr. Anil Kumar, aged about 65 yrs., S/O Late Gauri Shankar Prasad, Professor, Department of Neurosurgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Kailash Apartment, South Office Para, P.O.& P.S.- Doranda, District- Ranchi, Jharkhand

45. Dr. Atima Bharti, aged about 58 yrs., W/O Dr. Laxman lal, Associate Professor, Department of Obst. & Gynaecology, Rajendra Institute of Medical Sciences, Ranchi and R/O 20-21, Ashashree Garden, P.O.-RMCH, P.S.- Bariatu, distt. Ranchi, Jharkhand

46. Dr. Bijoy Kumar, aged about 66 yrs., S/O Late Kedar Nath Mandal, Associate Professor, Department of Orthopaedics, Rajendra Institute of Medical Sciences, Ranchi and R/O Flat no. 402,"C", Vikramshila Garden, Ranibagan, P.O. & P.S- Bariatu, Distt.- Ranchi, Jharkhand

47. Dr. Praveen Kumar Tiwary, aged about 59 yrs., S/O Late Radhey Shyam Tiwary Associate Professor, Department of Anaesthesia, Rajendra Institute of Medical Sciences, Ranchi and R/O 3K/65, Bariatu Housing Colony, P.O. & P.S.- Bariatu, Distt. Ranchi, Jharkhand

48. Dr. Anil Kumar Chaudhary, aged about 66 yrs, S/O Late L.P. Chaudhary, Professor, Department of Paediatrics, Rajendra Institute of Medical Sciences, Ranchi and R/O Flat No. 302, Sri Ram Arcade, Arvind Marg, P.O. & P.S- Bariatu, Distt.- Ranchi, Jharkhand.

49. Dr. Satyendra Kumar Singh, aged about 65 yrs., S/O Janardan Prasad Singh, Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O A-10, New Housing City. P.O. & P.S- Bariatu, Distt. Ranchi, Jharkhand

50. Dr. Sashi Bala Singh, aged about 63 yrs. W/O Sudhansu Bhusan, Professor, Department of Obst. & Gynaecology, Rajendra Institute of Medical Sciences, Ranchi and R/O 201, Sai Anand apartment, Anand Vihar, Kadru, P.O. & P.S.- Doranda, Distt. Ranchi, Jharkhand

51. Dr. Rajeeva Mishra, aged about 62 yrs., S/O Shri Prem Shankar Mishra, Professor, Department of Paediatrics, Rajendra Institute of Medical Sciences, Ranchi and R/O H 214, Harmu Housing Colony, P.O.- Harmu, P.S.- Argora, District- Ranchi, Jharkhand

52. Dr Gregory Minj, aged about 59 yrs, S/O Late Patras Minj, Associate Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O Shiv Ganga Apartment, Peace Road, P.O & P.S.- Lalpur, District- Ranchi, Jharkhand

53. Dr. Chander Kanti Birua, aged about 66 yrs., W/O Satyendra Singh Professor, Department of ENT, Rajendra Institute of Medical Sciences, Ranchi and R/O 15, Krishna Nagar, Booty Road, P.O.-RMCH, P.S.- Bariatu, District- Ranchi, Jharkhand

54. Dr. Dilip Kumar Jha, aged about 62 yrs, S/O Late Tara Charan Jha. Associate Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O Qtr.

No.-19, Doctors' Colony, P.O.- RMCH, P.S.- Bariatu, District-Ranchi, Jharkhand

55. Dr. Vidyapati, aged about 64 yrs., S/O Late Birbahadur Sinha, Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O House No. 43, Heritage Garden, Dipatoli, P.O.- Bariatu, P.S.- Sadar, District-Ranchi, Jharkhand

56. Dr. Ram Sewak Sahu, aged about 67 yrs., S/O Late Doman Sahu, Associate Professor, Department of Medicine, Rajendra Institute of Medical Sciences, Ranchi and R/O 302, Sai Sadan, Ashram Marg, Booty Road, P.O.-Bariatu, P.S.-Sadar, District-Ranchi, Jharkhand

57. Dr. Raj Shekhar Sharma, aged about 65 yrs., S/O Late Devendra Prasad Sharma, Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O 41, Niwaranpur, P.O.-Hinoo, P.S.- Chutia, Distt. Ranchi, Jharkhand

58. Dr. Arun Kumar Tiwary, aged about 66 yrs. S/O Late R. N. Tiwary, Associate Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Arun Niwas, Jora Talab Road, P.O.- RMCH, P.S.- Bariatu, Distt.- Ranchi, Jharkhand

59. Dr. Anil Kumar Kamal, aged about 54 yrs., S/O Ram Dayal Prasad, Associate Professor, Department of Surgery, Rajendra Institute of Medical Sciences, Ranchi and R/O Kamal Kunj, Shiv Ganj, Harmu Road, P.O.- Harmu, P.S.- Argora, Distt. Ranchi, Jharkhand

60. Dr. Pradeep Kumar Singh, aged about 67 yrs., S/O Late Dr. Jagdish Nandan Singh, Ex- Professor, Department of ENT, RIMS, Ranchi and R/O 302, Heritage Apartment, P.O. & P.S.- Bariatu, Distt.- Ranchi, Jharkhand.

61. Dr. Shyam Sunder Chaudhary, aged about 67 yrs., S/O Late Butan Chaudhary Ex-Professor, Department of Skin & V.D, RIMS, Ranchi and R/O Laxmi Nilay, Ekta Nagar, P.O.- Booty, P.S.- Sadar, Distt.. Ranchi, Jharkhand.

62. Dr. Ladhu Lakra, aged about 53 yrs., S/O Late Baura Lakra, Professor, Department of Anaesthesia, RIMS, Ranchi R/O Bharam Toli, Bariatu, P.O.- RMCH, P.S.- Bariatu, Distt.- Ranchi, Jharkhand

63. Dr. Rajesh Khanna, aged about 68 yrs, S/O Purshottam Das Khanna, Ex- Professor, Department of Anaesthesia RIMS, Ranchi and R/O Bansal Plaza, F-403, P.O. & P.S. Chutia, Distt. Ranchi, Jharkhand.

64. Dr. Ranjeet Kaur Arora, aged about 69 yrs., W/O Dr. Rajesh Khanna, aged about 68 yrs, Ex- Professor, Department of Physiology, RIMS, Ranchi and R/O Bansal Plaza, F-403, P.O. & P.S. Chutia, Distt.-Ranchi, Jharkhand.

65. Dr. Govind Jee Sahay, aged about 70 yrs., S/O Late Nand Kumar Lal, Ex- Professor, Department of Physiology, RIMS, Ranchi and R/O Nand Nikunj, Ratu Road, P.O. & P.S. Sukhdeo Nagar, Distt.-Ranchi, Jharkhand.

66. Dr. Binday Kumar, aged about 63 yrs. S/O Late Dullu Ram Das, Professor, Department of Medicine, RIMS, Ranchi and R/O Qtr. No.-10 Doctors Colony, P.O- RMCH, P.S.- Bariatu, Distt. Ranchi, Jharkhand.
67. Dr. Thomas Justin Minj, aged about 68 yrs., S/O Late Paulus Minj, Ex- Associate Professor, RIMS, Ranchi and R/O Jorar, Bethel Niwas, P.O. & P.S.- Namkum, Distt- Ranchi, Jharkhand.
68. Dr. Kaushal Kishore Sinha, aged about 70 yrs., S/O Late Ram Lakhan Singh, Ex-Professor, Department of Biochemistry, RIMS, Ranchi and R/O Rd. No. 5, Hill View Nursing Home Road, P.O-RMCH, P.S.- Bariatu, Dist.- Ranchi, Jharkhand.
69. Dr. Rajendra Kumar Jha, aged about 68 yrs., S/O Late Nandeshwar Jha, Ex- Professor, Department of Medicine, RIMS, Ranchi and R/O 1604, Sri Vrinda Residency, Bariatu, P.O- Bariatu, P.S- Sadar, Distt.-Ranchi, Jharkhand.

....Petitioners

Versus

1. The State of Jharkhand through the Principal Secretary to the Government of Jharkhand in the Department of Health, Medical, Education & Family Welfare, Nepal House, P.O. & P.S. Doranda, Dist. Ranchi.
2. Principal Secretary, Department of Finance, Govt. of Jharkhand, Ranchi, Project Building, P.O. & P.S. Dhurwa, Dist. Ranchi.
3. Rajendra Institute of Medical Sciences through its Director having its office at RIMS campus P.O. & P.S. Bariatu, Dist. Ranchi.
4. Governing Body, Rajendra Institute of Medical Sciences through its Secretary having its office at RIMS Campus, Ranchi P.O. & P.S. Bariatu, Dist. Ranchi, Jharkhand.

.....Respondents

With

W.P(S) No. 4356 of 2023

Dr. Paras Nath Ram, aged about 66 years, son of Late Bhriguashram Ram, Associate Professor, Department of Radiology, Rajendra Institute of Medical Sciences, Ranchi, resident of New Nalanda Colony Bariatu, P.O. & P.S. Bariatu, District - Ranchi (Jharkhand) – 834009 **....Petitioner**

Versus

1. The State of Jharkhand, through the Principal Secretary, Department of Health, Medical Education & Family Welfare, Government of India, Nepal House, Doranda, P.O. & P.S. Doranda, Dist. Ranchi.
2. The Principal Secretary, Department of Finance, Government of Jharkhand, Ranchi, Project Building, Dhurwa, P.O. & P.S. Dhurwa, Dist. Ranchi.

3. The Rajendra Institute of Medical Sciences (RIMS), Ranchi through its Director having its office at RIMS campus, Bariatu, P.O. & P.S. Bariatu, Dist. Ranchi.
4. The Chairman-cum-Health Minister, Governing Body. RIMS, Ranchi, P.O. & P.S. Bariatu, Dist. Ranchi.

.....**Respondents**

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CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

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For the Petitioner : Mr. Shresth Gautam, Advocate
For the Respondents : Dr. A.K.Singh, Advocate
Mr. Prashant Kr. Rai, Advocate
Mr. Binit Chandra, Advocate

C.A.V ON. 08.04.2026 **PRONOUNCED ON:01/05/2026**

Since both these writ applications involve common issue, they have been heard together and are being disposed of by this common order.

2. The petitioners in these cases have prayed before this Court for quashing the letter bearing Letter No. 11/RIMS (Stha)-01-22/2018/317(II) dated 25.11.2019 issued by the Department of Health, Medical Education & Family Welfare, Government of Jharkhand; whereby the recommendation of the Governing Council of Rajendra Institute of Medical Sciences, Ranchi[1], for payment of Academic Allowance to the Petitioners, who are State government doctors on lien/deputation at RIMS, has been denied.

Further prayer has been made to the effect that the respondents may be directed to make the payment of academic allowance w.e.f. 22.09.2014.

3. Briefly stated, the petitioners, initially appointed as Medical Officers under the Bihar State Health Services and subsequently allocated to the State of Jharkhand upon its

[1] hereinafter referred to as RIMS

creation, are/were working at RIMS, Ranchi, where their services have been treated to be on lien/deputation in terms of the RIMS Rules, 2002, particularly Rule 19 thereof and the Regulation framed by the Governing Council dated 08.09.2014.

In 2014, a Five Member Committee was constituted to decide the salary and allowances of the faculty appointed by RIMS in consonance with AIIMS, New Delhi, which also decided to pay Academic Allowance of Rs. 10,000/- per month to the faculties appointed by the RIMS and the same was approved by the Governing Council in its 40th Meeting dated 18.04.2015 (Agenda 40.3); however, the same was confined to the employees of RIMS only and no decision thereof was taken with regard to the Academic Allowance to faculties appointed by the Government of Jharkhand but posted at RIMS. However, in the 47th Meeting dated 12.02.2019, the Governing Council, under Rule 16, approved grant of Academic Allowance to the State government doctors also who were on lien/deputation at the RIMS and this decision so was taken in the presence of the representatives of the State, viz, Minister of Department of Health, Medical Education & Family Welfare; Secretary (Dept. of Health) and Addl. Chief Secretary (Dept. of Finance) and they had accorded their approval for grant of Academic Allowance.

4. However, the State Government, vide Letter No. 11/RIMS(Stha)-01-22/2018/317(II) dated 25.11.2019, declined to approve the said recommendation on the ground that government doctors who are the employees of the State Government and

belong to the academic cadre under governmental medical institutions are not entitled to receive the academic allowance. The petitioners communicated their grievance to the RIMS authorities, however, no action has been taken till now. Hence, these writ applications.

5. It has been submitted by Ld. Counsel for the petitioners that since RIMS has been established under RIMS Act, 2002 as an autonomous Council and is having its management power vested in the Governing Council, as such, by virtue of Section 12(iv), the Governing Council is vested with powers as that of the State Government with regards to expenditure from public exchequer.

He had further submitted that while the government doctors who are employees of the State Government but working at RIMS are being paid the Non-Practicing Allowance similar to RIMS doctors and as such depriving them of the academic allowance is discriminatory in view of the fact that they are also performing the same nature of job.

He further contended that Rule 12(III) of the RIMS Regulations, 2014 only stipulates that government doctors who are on lien under RIMS will not be entitled to receive 'deputation allowance' and in no way bars the payment of 'academic allowance'.

Further, he placed his reliance upon a judgment of the Hon'ble Supreme Court in the case of ***State of Punjab v. Jagjit***

Singh[2] which has laid down the proposition with regard to persons discharging equal work required to be paid equally.

6. *Per contra*, learned counsel for the Respondents submitted that though the Governing Council of the RIMS has recommended for granting Academic Allowance, however, the competent authority for determination of salary and allowance under the State Government is the Finance Department, which after analyzing the provisions as contained in the RIMS Act, 2002, has declined for Academic Allowance to the Government medical officers working at the RIMS.

Learned counsel further contended that the Doctors/Teachers appointed directly by RIMS and the Doctors of Jharkhand Health Services presently working on deputation/lien in RIMS constitute entirely two separate and distinct categories of employees and their pay, allowance and conditions of service are not the same, and in the view of relevant statutory provisions academic allowance cannot be paid to the petitioners.

7. Having heard Ld. Counsel for both the parties and on perusal of the materials on record, it transpires that the petitioners who were initially appointed under the Bihar State Health Services and thereafter allocated to the State of Jharkhand, are/were working at RIMS on lien/deputation. It is the case of the petitioners that the Governing Council in its 47th meeting held on 12.02.2019 had approved grant of Academic Allowance to the medical officers on deputation from the State

[2] **(2017) 1 SCC 148**

Government; however, the same has been declined by the State Government vide the impugned order, giving rise to the present writ petition.

8. Since the State as well as RIMS has filed their affidavit taking the same stand that the petitioners are not entitled for Academic Allowance as the same is in violation of Regulation 12 and 13 of the RIMS Regulation, 2014, the moot issue which is required to be considered in the present case is *"whether under Regulations 12(III) and 13, there is any embargo on grant of Academic Allowance to the present petitioners"*.

Firstly, Regulation 12(III) is required to be considered which provides an embargo to the effect that the employees of the State shall not be paid promotional benefits and shall also not be paid any Deputation Allowance, etc; whereas Regulation 13 provides that the employees of the State of Jharkhand shall be paid the benefits of DACP. Thus, it appears that the Regulation 12(III) does not explicitly curtail the grant of Academic Allowance or every other benefit as it is important to note that Non-Practicing Allowances are being paid to the petitioners, but the grant of Academic Allowance has been declined to them. For better appreciation, the Regulation 12(III) is reproduced hereinbelow:

> *"12(III)* राजेन्द्र चिकित्सा महाविद्यालय का प्रर्वतन वर्ष *2002* में राजेन्द्र आयुर्विज्ञान संस्थान हुआ। *2002* से पूर्व सरकार के द्वारा नियुक्त चिकित्सक रिम्स बनने के उपरांत विभिन्न विभागीय अधिसूचना के द्वारा अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली एवं भारतीय चिकित्सा परिषद् के मापदंड पर चलाने हेतु पदस्थापित किया गया। उन सभी सरकारी चिकित्सकों के द्वारा दिये गये शपथ पत्र के आलोक में वे विभागीय प्रशासनिक आदेश के द्वारा लियेन/प्रतिनियुक्ति पर सेवानिवृति तक कार्यरत रहेंगे। समय समय पर रिम्स में होने वाले प्रोन्नति लाभ

उन्हें देय होगा परन्तु किसी प्रकार की प्रतिनियुक्ति भत्ता आदि उन्हें देय नहीं होगा।"

9. Since, academic allowance is provided in order to foster academics, research and professional training in educational and research institutes, and the said benefit is payable under Rule 58 of the Jharkhand Service Code, 2001; and admittedly, the petitioners have been working and discharging their duties attached to the post as that of an employee of RIMS, as such, all the benefits connected to are required to be extended to the petitioners.

10. A similar issue fell for consideration before the Division Bench of this Court in ***Jai Prakash v. State of Jharkhand***[3] wherein the Court taking note of Rules 58 and 103 of Jharkhand Service Code, 2001 as well as the judgment of the Hon'ble Supreme Court in the case of ***Secretary-cum-Chief Engineer, Chandigarh v. Hari Om Sharma***[4] and the judgment of Division Bench of this Court in the case of ***Jugal Kishore Sharan v. State of Bihar***[5] allowed the application holding that the petitioner is entitled for the pay on the post on which he has been deputed. The said issue has attained finality with dismissal of ***LPA No. 653 of 2017*** vide order dated 19.08.2025 holding that the case is fully covered by the judgment of the Hon'ble Supreme

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[3] **2017 SCC OnLine Jhar 2684**
[4] **(1998) 5 SCC 87**
[5] **2005 (2) JLJR 154**

Court in the case of ***State of Punjab v. Dharam Pal***[6] as well as ***State of Punjab v. B.K. Dhir***[7].

11. It is, further, essential to refer to the judgment rendered by the Hon'ble Supreme Court in the case of ***Secretary-cum-Chief Engineer, Chandigarh (supra)*** wherein principle governing entitlement of salary of that higher post to which one is put to officiate has been laid down and the relevant paragraph of the said judgment is quoted hereinbelow:

> "***6.****...If a person is put to officiate on a higher post with greater responsibilities, he is normally entitled to salary of that post...*"
>
> ***8.*** *Learned counsel for the appellant attempted to contend that when the respondent was promoted in stop-gap arrangement as Junior Engineer-I, he had given an undertaking to the appellant that on the basis of stop-gap arrangement, he would not claim promotion as of right nor would he claim any benefit pertaining to that post. The argument, to say the least, is preposterous.* ***Apart from the fact that the Government in its capacity as a model employer cannot be permitted to raise such an argument, the undertaking which is said to constitute an agreement between the parties cannot be enforced at law****. The respondent being an employee of the appellant had to break his period of stagnation although, as we have found earlier, he was the only person amongst the non-diploma-holders available for promotion to the post of Junior Engineer-I and was, therefore, likely to be considered for promotion in his own right.* ***An agreement that if a person is promoted to the higher post or put to officiate on that post or, as in the instant case, a stop-gap arrangement is made to place him on the higher post, he would not claim higher salary or other attendant benefits would be contrary to law and also against public policy****. It would, therefore, be unenforceable in view of Section 23 of the Contract Act, 1872."*
>
> *(emphasis supplied)*

12. Further, this Court also finds that the distinction drawn by the Respondents between doctors appointed by the RIMS and those working on lien/deputation is of no consequence, as the petitioners are admittedly discharging same duties. Once such

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[6] **(2017) 9 SCC 395**
[7] **(2017) 9 SCC 337**

parity is established; on one hand extending the Non-Practicing Allowance to the petitioners, but on the other hand, denying specifically the Academic Allowance amounts to a classification without intelligible differentia and is violative of Article 14 and, thus, unsustainable in law.

13. At this stage, it would be apposite to refer to the observations of the Hon'ble Supreme Court in ***State of Punjab v. Jagjit Singh (supra)***, wherein the doctrine of *"equal pay for equal work"* has been reiterated, holding that denial of equal pay to employees discharging same duties is violative of the principles of equality and dignity. The relevant extract reads as under:

> "***58.*** *In our considered view, it is fallacious to determine artificial parameters to deny fruits of labour. An employee engaged for the same work cannot be paid less than another who performs the same duties and responsibilities. Certainly not, in a welfare State. Such an action besides being demeaning, strikes at the very foundation of human dignity...***"**

14. Moreover, this Court finds that the Governing Council, which includes the Minister, Department of Health; Secretary (Dept. of Health); and Addl. Chief Secretary (Dept. of Finance), in its 47th meeting, had duly approved the grant of Academic Allowance to the State government doctors on lien/deputation at the RIMS. Further, Section 12(i) and 12(iv) of the Act, 2002 empower the Governing Council to take decisions with regard to pay and allowances of its employees, and there is no explicit embargo under Regulations 12 and 13 of the RIMS Regulation, 2014 for grant of Academic Allowance to the government medical officers on lien/deputation.

In such circumstances, the impugned order dated 25.11.2019 cannot be sustained in the eye of law and is, accordingly, quashed and set aside.

15. Consequently, the respondents are directed to extend the benefit of Academic Allowance to the petitioners in terms of the decision taken in the 47th meeting of the Governing Council of RIMS. The respondents are further directed to ensure payment of the said allowance to the petitioners within a period of twelve weeks from the date of receipt/production of a copy of this order.

16. Accordingly, the writ petitions stand allowed. Pending I.A.(s), if any, stand disposed of.

(Deepak Roshan, J.)

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