

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No.1364 of 2025

1. Dr. Jeewan Kumar Mitra, age 70 years, son of late K.C. Mitra resident of Jeewandeeep, Shukla Colony, PS- Doranda, PO- Hinoo, Ranchi, Jharkhand, 834002.
2. Dr. Rajesh Khanna, age 71 years, son of Late Purshottam Khanna, resident of F-403, Bansal Palaza, P.O.- Chutia, P.S.- Chutia, H.B. Road, Jharkhand, 834001.
3. Dr. Ranjit Kaur Arora, age 72 years, wife of Dr. Rajesh Khanna, resident of F-403, Bansal Palaza, P.O.- Chutia, P.S.- Chutia, H.B. Road, Jharkhand, 834001.
4. Dr. Bankim Ch. Adhikari, age 71 years, son of Late G.C. Adhikari, resident of Vasudha, 43, of New A.G. Colony, Kadru, P.O.- Doranda, P.S.- Argora, Ranchi, Jharkhand, 834002.
5. Dr. Anil Kr. Sinha, age 71 years, son of Late Kamaleshwari Prasad, resident of Holding No. 439, P.P. Compound, P.O. & P.S.- Hindpiri, Main Road, Ranchi, Jharkhand, 834006.

... .. Petitioner(s)

Versus

1. The State of Jharkhand
2. The Principal Secretary, Department of Finance, Government of Jharkhand, Project Bhawan, HEC Dhurwa, P.O.- Dhurwa, P.S.- Jagannathpur, District-Ranchi.
3. The Principal Secretary, Department of Health, Medical Education & Family Welfare, Government of Jharkhand, Nepal House, Doranda, P.O. & P.S.- Doranda, District-Ranchi.
4. The Accountant General, Jharkhand, P.O. & P.S.- Doranda, District-Ranchi.

... .. Respondent(s)

With

W.P.(S) No.1125 of 2025

1. Dr. Rajesh Kumar, age 75 years, son of Late Dwarika Narayan Srivastava, resident of 15, Old A.G. Colony, Kadru, P.S.- Argora, P.O.- Doranda, Ranchi, Jharkhand, 834002.
2. Dr. Ashok Kumar Sinha, age 74 years son of Late Dr. Shyam Deo Prasad, resident of Atma Nand Road, Near Kusai Colony, P.O.-Doranda, P.S.- Doranda, Ranchi, Jharkhand, 834002.
3. Dr. Navin Kumar Sinha, age 73 years, resident of 28/D, son of Late Bishwambhar Prasad, resident of Ashok Vihar, P.O.- Doranda, P.S.- Argora, Ranchi, Jharkhand, 834002.
4. Dr. Rajesh Kumar Verma, age 69 years, son of Late Ram Ratan Prasad, resident of Abhinandan, Near 2k/58, Bariatu Housing Colony, Maitri Marg, Bariatu, P.O.- Bariatu, P.S.- Bariatu, Ranchi, Jharkhand, 834009.
5. Dr. Salil Kumar Mandal, age 68 years, son of Sri Ashutosh Mandal, resident of 34, Moti Babu Lane, Tharpakna, Ranchi, P.S.- Kotwali, Ranchi, Jharkhand, 834001.
6. Dr. Lakshman Mandal age 70 years, son of Sri Ritu Lal Mandal, resident of Flat No.3C-D, Block A 4 Sail City, New Pundag, P.O.- Dhurwa, P.S.- Pundag, Ranchi, Jharkhand, 834004.

7. Dr. Raj Mohan, age 72 years, son of Late Radha Mohan, resident of Rameshwaram Colony, Near Military Camp, Bariatu, P.O.- Bariatu, P.S.-Bariatu, Ranchi, Jharkhand, 834009.
8. Dr. Ratnesh Kumar, age 69 years, son of Late Raja Rajiv Ranjan, resident of R.K. Nursing Home, 101A, Old A.G. Colony, Kadru, P.O.- Doranda, P.S.- Argora, Ranchi, Jharkhand, 834002.
9. Dr. Dharam Pal Taneja, age 75 years, son of Sri. N.L. Taneja, resident of 9, Bharatpuri, Purulia Road, Ranchi, P.O.- GPO, P.S.- Lalpur, Ranchi, Jharkhand, 834001.
10. Dr. Ashok Kumar Sinha, age 73 years, son of Late S.N. Sinha, resident of B/497, Mandir Marg, Ashoknagar Ranchi, P.O.- Doranda P.S.-Argora, Ranchi, Jharkhand, 834002.
11. Dr. Anand Kumar Jagnani, age 73 years, son of Mr. Luxmi Narayan Jagnani, resident of 202, Panchwati, Basant Vihar Kanke Road, Ranchi, P.O. Ranchi University, P.S. Gonda, Ranchi, Jharkhand, 834008.
12. Neelam Sinha, age 66 years, wife of Late Dr. Umesh Chandra Sinha, resident of Flat No. 204, Srikrishna Amar Villa, Rd. No.- 1, Near Pani Tanki New Patliputra, Colony, Patna, P.S.- Patliputra, P.O.- Patliputra, Patna, 800013.
13. Dr. Manoj Narain Lal, age 72 years, son of Late Krishna Chandra, resident of 4-E, Shyama Enclave, Rameshwaram Bariatu, P.O.-Bariatu, P.S.- Bariatu, Ranchi, Jharkhand, 834009.
14. Dr. Praveen Chandra age 72 years, son of Late Ashish Kumar Ambastha, resident of Ashiyana, Jamtoli Road, Bero, P.O.- Bero, P.S.- Bero, Ranchi, Jharkhand, 835202.
15. Dr. Jaya Prasad age 70 years, wife of Dr. Rajiv Kumar, resident of 397 B, Road No. 4C, Ashok Nagar, P.O.- Doranda, P.S. Argora, Ranchi, Jharkhand, 834002.
16. Dr. Shailendra Kumar Singh, age 70 years, son of Sri Gaya Prasad Singh, resident of Kriti Gitanjali, Tagore Hill Road, Opp. Sandhya Sukriti App., P.O.- Ranchi University, P.S. Bariatu, Morabadi, Ranchi, Jharkhand, 834008.
17. Dr. Bina Sinha, age 69 years, wife of Sri Anjani Kumar, resident of Brindaban Colony, Rd. No. 7(N), Tagore Hill, Chirondi, P.O.- Boreya, Kanke, P.S.- Bariatu, Ranchi, Jharkhand, 834006.
18. Dr. Arun Kumar Sinha age 72 years, son of Sri Basudeo Narayan Sinha, resident of Saubhagya, Jaient Bhawan Road, Nawatoli, Daltonganj, P.S.& P.O.- Daltonganj, Palamu, Jharkhand, 822101.
19. Dr. Nand Kumar Bhagat, age 71 years, son of Sri Ramadhar Bhagat, resident of 48, Circular Road, Near Pantaloon, P.S. & P.O.- Lalpur, Lalpur Road, Ranchi, Jharkhand, 834001.
20. Dr. Sayed Iqbal Hussain age 74 years, son of Late Sayed Akrumal Husaain, resident of 2nd street, near Benny Madhav Press P.O. & P.S.- Hindpiri, Ranchi, Jharkhand, 834001.
21. Dr. Ejazuddin Ashraf @ Dr. Ejazuddin Ashrf, age 70 years, son of Md. Alauddin Ashraf, resident of D-218, Ansar Nagar, Near Jafaria Masjid, Church Road, P.O. & P.S.- Hindpiri, Ranchi, Jharkhand, 834001.
22. Dr. Murli Manohar Sengupta age 69 years, son of Late Nagad Narayan Sahu, resident of R.R.B. Colony, Sukhdeo Nagar, Indrapuri Ratu Gali P.O.- Hehal, P.S.- Sukhdeonagar, Ranchi,

- Jharkhand, 834005.
23. Dr. Dilip Kumar Singh, age 74 years, son of Late Rajendra Prasad Sharma, resident of Gram & P.O.- Dighikalan, Behind Anjora Homeo Hall, P.S. Hajipur, P.O.- Vaishali, Vaishali, Bihar, 844101.
 24. Dr. Madhurendra Nath Sinha age 74 years, son of late B.N. Sinha, resident of C/O Ritu Raj, B-94, Sector 91, DLF Flat, New Town Height-91, Gurugram, P.O.- Vatika, P.S. Ashiyana, Haryana, 1222505.
 25. Dr. Vijay Behari Prasad, age 68 years, son of Late Awadh Behri Prasad, resident of 5F, Phase II, Subhasree Apartment, P.O. & P.S.- Bariatu, Ranchi, Jharkhand, 834009.
 26. Dr. Umesh Kumar age 68 years, son of Late Sudeshwari Prasad, resident of Flat no. 202, Rukmani Apartment, Jogi Babu Lane, Aryapuri, P.S.- Sukhdeo Nagar, P.O. G.P.O, Ratu Road, Ranchi, Jharkhand, 834001.
 27. Dr. Vinod Kumar Sinha age 71 years, son of Late Yaduvansh Sahay, resident of Flat no. 101, Rukmani Apartment, Jogi Babu Lane, Aryapuri, P.S. Sukhdeo Nagar, P.O. G.P.O, Ratu Road, Ranchi, Jharkhand, 834001.
 28. Dr. Kumari @ Dr. Kumari Basundhara, age 73 years, wife of Late Kanaihya Pd. Shrivastva, resident of Opp. Panitanki Jai Prakash Nagar, Bariatu, Ranchi, P.O.- Bariatu, P.S.- Sadar, Ranchi, Jharkhand, 834009.
 29. Dr. Ashok Kumar, age 74 years, son of Lte Suresh Kumar Verma, resident of Near Malti Kunj, Suresh Sadan, Pragati Marg, Jai Prakash Nagar, Booty Road, P.O.- Bariatu, P.S. Sadar, Ranchi, Jharkhand, 834009.
 30. Dr. Nilu Sinha, age 73 years, wife of Late Tripurari, resident of Flat No.1/C, Shree Sai Astha Apartment, Opp. SDA Mission, Booty Road, P.O. Bariatu, P.S. Sadar, Ranchi, Jharkhand, 834009.
 31. Dr. Manju Kumari, age 72 years, wife of Sri Bishnukant Jha, resident of Flat No. A-924, Gour Green Avenue, Abhay Khand-2, Indra Puram, Ghaziabad, Uttar Pradesh, 201014.
 32. Dr. Bindeshwari Prasad Chourasia, age 72 years, son of Late Raghoo Mandal, resident of Flat No.- 2/C, Neel Kanth Apartment, Tagore Hill Road, Morabadi, P.O.- Ranchi University, P.S.- Bariatu, Ranchi, Jharkhand, 834008.
 33. Dr. Murli Manish, age 68 years, son of Late Gandrauri Ram, resident of Dr. Murli Manish, Usha Niketan, Saint Peter, Birsa Chowk, P.O.- Doranda, P.S. Jagarnathpur, Ranchi, Jharkhand, 834002.
 34. Dr. Kameshwar Prasad, age 73 years, son of Late Bindeshwari Prasad, resident of Dr. Kameshwar Pd., Village Kanchanpur, Manalok Gate No. 5. P.O.- Razasan, P.S.- Bidupur, Dist.- Vaishali, Bihar, 844102.
 35. Dr. Rabindra Prasad Singh, age 75 years, son of Late Haldhar Prasad Singh, resident of Dr. Rabindra Prasad Singh, Near Padosan Hotel, Baikunth Nagar, Kathal More, P.O.- Gutuwa, P.S.-Nagari, Ranchi, Jharkhand, 835303.
 36. Dr. Shio Shankar Lal, age 70 years, son of Late Gobind Lal, resident of Dr. Shio Shankar Lal, C/o Sanjeev Kumar Baranwal,

- Flat No. 1407, Block-E3, SNN Raj Serenity, Begur, Main Road, Yelena Halli, P.O.- Bommanahalli, P.S. Begur Police Station, Bengaluru, Karnataka, 560068.
37. Dr. Pratibha @ Dr. Pratibha Narayan, age 69 years, wife of Ashok Kumar, resident of Suresh Sadan, near Malti Kunj, Jai Prakash Nagar, Booty Road, Bariatu, P.O.- Bariatu, P.S.- Sadar, Ranchi, Jharkhand, 834009.
 38. Dr. Akhilesh Kumar Choudhary, age 73 years, son of Late Randhir Prasad Choudhary, resident of Flat No. 6/A, Randhir Tower, Ratu Road, Near Kabristan, P.O.- G.P.O & P.S.- Sukhdeonagar, Ranchi, Jharkhand, 834001.
 39. Dr. Surendra Lav, age 67 years, son of Shri Ram Ratan Prasad, resident of 31, Kali Babu Street, Behind civil Court, Near CBI court, Near CBI office, P.O.- Ranchi GPO, P.S. Kotwali, Ranchi, Jharkhand, 834001.
 40. Dr. Arun Kumar Sinha, age 73 years, son of Late Tribhuwan Prasad, resident of B/78, Sherpur, (Kayasth Tola), Near Bank of Baroda, P.O.- M.I.C. Bela, P.S.- Sadar Police Station, Muzaffarpur, Bihar, 842005.
 41. Dr. Manoranjan Prasad Shrivastva, age 80 years, son of Late Kedar Nath Lal, resident of KRISHIV, TF2, Plot No. 1548, Sector-5, Vasundhra, Opp. CIRB, A. Sharan, Ghaziabad, P.O.- Vasundhra, P.S.- Indira Puram, Uttar Pradesh, 201012.
 42. Dr. Sudeshwar Prasad, age 69 years, son of Late Ram Chandra Prasad, resident of 2161/K2, Near Bariatu Firing Range, Bariatu, Ranchi, P.O.- Bariatu, P.S.- Sadar, Ranchi, Jharkhand, 834009.
 43. Dr. Umesh Chandra Sinha, age 68 years, son of Late Chandra Deo Narayan Prasad, resident of 120 Amarpur Niwas, Near Shivam Nursing Home, Vidya Puri, Kankarbagh, Patna, P.O.- Patrakar Nagar, P.S.- Lohia Nagar, Patna, Bihar, 800020.
 44. Dr. Saroj Kumar, age 68 years, son of Late Suresh Kumar Verma, resident of House No. 2176, D/14, Malti Kunj, Jai Prakash Nagar, Booty Road, P.O. Bariatu, P.S. Sadar, Ranchi, Jharkhand, 834009.
 45. Dr. Satish Chandra Dutta, age 72 years, son of Late Chandra Shekhar Dutta, resident of House No. 4C, Arihant Apartment, Dipatoli, P.S. Sadar, P.O.- R.M.C.H., Bariatu, Ranchi, 834009.
 46. Dr. Mangal Dutt Tiwari, age 74 years, son of late Devi Dayal Tiwari, resident of House No.1B, Manokamna Enclave, J.C. Road, Lower Bardwan Compound, Lalpur, P.O.- Lalpur, P.S.- Lalpur, Ranchi, 834001.
 47. Dr. Deepali Dey, 73, wife of Dr. Shyam Sunder Singh, resident of B-III-510(T), HEC Campus, Dhurwa, P.O. & P.S.-Dhurwa, Ranchi, 834004.
 48. Dr. Pradeep Kumar Linda, age 63 years, son of Sri Chunnu Linda, resident of Sun Shine Enclave, Patratoli, Kanke, P.O. & P.S.-Kanke, Ranchi, 834006.

... .. **Petitioner(s)**

Versus

1. The State of Jharkhand.
2. The Principal Secretary, Department of Finance, Government of Jharkhand, Project Bhawan, HEC Dhurwa, P.O.- Dhurwa, P.S.- Jagannathpur, District-Ranchi.

3. The Principal Secretary, Department of Health, Medical Education & Family Welfare, Government of Jharkhand, Nepal House, Doranda, P.O. & P.S.- Doranda, District-Ranchi.
4. The Accountant General, Jharkhand, P.O. & P.S.- Doranda, District-Ranchi. **... .. Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Ms. Debolina Sen Hirani, Advocate
Mr. Kashyabi, Advocate
For the State : Mr. J.F. Toppo, GA-V
Mr. Ajit Kumar AC to G.A.-V
Mrs. Moushmi Chatterjee, AC to GA-V
Ms. Komal Tiwary, AC to AG
For the Resp.No.4 : Mr. Sudarshan Shrivastava, Advocate
For the Resp. A.G. : Dr. Ashok Kumar Singh, Advocate

06/ 02nd September, 2025

1. Heard the parties.
2. The facts of both these cases are same and is undisputed.
3. The petitioners in these two petitions prays for a direction in a nature of *Mandamus* commanding upon the respondent authorities to revise and refix the benefits and grant them DACP and consequential benefits from 05.04.2002 in light of the observations made in order dated 02.08.2023 passed by the Division Bench in L.P.A. No.86/2018. They further prayed that a direction may be given to the respondent authorities to release the arrears and all consequential benefits after refixation of DACP benefits w.e.f., 05.04.2002.
4. The petitioners are the persons from Medical Cadre.
5. Admittedly, the DACP scheme was floated and the same has been extended to all the persons of Medical Cadre. The cut-off date was fixed by the Government. Later on, it was modified to 01.09.2008, vide Resolution dated 11.09.2013. Earlier the said scheme was made effective from 05.04.2002 in light of 5th Pay Revision and benefit of DACP w.e.f., 29.10.2008 in the light of the 6th Pay Revision. The benefits were granted w.e.f., 05.04.2002 and the actual benefit from 29.10.2008 and the financial benefit from

01.04.2009. Pursuant to the order dated 11.09.2013, the Department of Health, Medical Education & Family Welfare, Government of Jharkhand issued a Notification dated 15.01.2014 whereby benefits of DACP granted to all the eligible employees vide Notification dated 02.04.2013 was withdrawn. Being aggrieved, some of the employees filed writ petitions. The writ petitions were dismissed. Challenging the order of the writ Court, LPA No.86 of 2018 was filed. The said Letters Patent Appeal was heard and decided by Division Bench of this Court. Letters Patent Appellate Court vide judgment dated 02.08.2023, allowed the Letters Patent Appeal by setting aside the judgment of the learned Single Judge. It was held that shifting of the date was not proper. The order passed in the Letters Patent Appeal was challenged before the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No.52346 of 2023. The Hon'ble Supreme Court vide order dated 19.02.2024, dismissed the Special Leave Petition, keeping open the question of law.

6. Since the order has been passed by the Division Bench holding that the shifting of the date of DACP is not proper, these petitioners who were affected by shifting of such date has now approached this Court claiming the same benefit which was granted to the litigations who had approached this Court by filing Letters Patent Appeal No.86/2018.

7. It is the case of the petitioners that since similar benefit has been granted to similarly situated persons, the fact that the petitioners have not earlier approached the Court, cannot come in their way to get the same benefits. It is stated what has been decided in Letters Patent Appellate Court is that shifting of the date is bad. Once it has been held that the shifting of the date is bad, consequential benefits should be granted not only to the appellants in Letters Patent Appeal but also to other similarly situated person who was put at a disadvantageous position due to shifting of the said date.

8. Learned counsel appearing on behalf of the State submits that admittedly the petitioners did not file any writ petition challenging the action of respondents by which the dates were

shifted and rather they have approached this Court now for the first time. He submits that the petitioners were fence sitters, thus they are not entitled to get any relief.

9. The admitted facts is that the date of DACP was changed by the State by virtue of a Resolution which was ultimately set aside by the Division Bench of this Court. The effect of this order is that the date which was fixed earlier is the only crucial date for the purpose of grant of DACP and there cannot be any other second date. Once a particular date has been fixed, all the persons who come within the zone of consideration must get the same benefit. The Judgment which declares that the cut-off date is bad, it is not *in personem* and rather it is *in rem*. It is the policy decision of the State which has been struck down which automatically revives the earlier policy. When the particular policy has been revived, all the persons, who are within the zone are entitled to get the benefit of the policy, no matter whether they have approached the Court or not.

10. In a recent Judgment of the Hon'ble Supreme Court in the case of "**Lt. Col Suprita Chandel Vs. Union of India & Ors.**" reported in **2024 SCC Online SC 3664**, the Hon'ble Supreme Court dealt with more or less a similar issue. The Hon'ble Supreme Court in Paragraph 14 of the aforesaid Judgment has held that when a declaration of law is obtained in favour of the party, other similarly situated ought to be extended the same benefit. Further in Paragraph No.15, the Hon'ble Supreme Court had taken note of the judgment passed in "**K.I. Shephard Vs. Union of India, reported in (1987) 4 SCC 431**" and has emphasized that some excluded employees have not come to the Court cannot be a ground to penalize them for not having litigated. They are also entitled for the same benefits.

11. In paragraph No.16, it has also been held that the case would be different if some persons are expressly prohibited to get the same benefits, then only the others who have not approached the Court, can be prevented to get the same benefit. It is necessary to quote Paragraph Nos.14, 15 & 16 for better appreciation;

"14. It is a well settled principle of law that where a citizen aggrieved by an action of the government department has approached the court and obtained a declaration of law in his/her favour, others similarly situated ought to be extended the benefit without the need for them to go to court. [See *Amrit Lal Berry vs. Collector of Central Excise, New Delhi and Others*, (1975) 4 SCC 714]

15. In *K.I. Shephard vs. Union of India*, (1987) 4 SCC 431, this Court while reinforcing the above principle held as under:-

"19. The writ petitions and the appeals must succeed. We set aside the impugned judgments of the Single Judge and Division Bench of the Kerala High Court and direct that each of the three transferee banks should take over the excluded employees on the same terms and conditions of employment under the respective banking companies prior to amalgamation. The employees would be entitled to the benefit of continuity of service for all purposes including salary and perks throughout the period. We leave it open to the transferee banks to take such action as they consider proper against these employees in accordance with law. Some of the excluded employees have not come to court. There is no justification to penalise them for not having litigated. They too shall be entitled to the same benefits as the petitioners.
..." (Emphasis Supplied)

16. No doubt, in exceptional cases where the court has expressly prohibited the extension of the benefit to those who have not approached the court till then or in cases where a grievance in personam is redressed, the matter may acquire a different dimension, and the department may be justified in denying the relief to an individual who claims the extension of the benefit of the said judgment."

12. It is also necessary to quote Paragraph No.18 & 19 where in the Hon'ble Supreme Court deals with discrimination and fairness which has to be followed and the standard which has to be adopted which cannot be unreasonable. Paragraph Nos.18 & 19 are as under:-

"18. The respondent authorities on their own should have extended the benefit of the judgment of AFT, Principal Bench in OA No.111 of 2013 and batch to the appellant. To illustrate, take the case of the valiant Indian soldiers bravely guarding the frontiers at Siachen or in other difficult terrain. Thoughts on conditions of service and job perquisites will be last in their mind. Will it be fair to tell them that they will not be given relief even if they are similarly situated, since the judgment they seek to rely on, was passed in the

case of certain applicants alone who moved the court? We think that would be a very unfair scenario. Accepting the stand of the respondents in this case would result in this Court putting its imprimatur on an unreasonable stand adopted by the authorities. 19. The stand of the Department relying on the judgment of this Court in State of Maharashtra vs. Chandrakant Anant Kulkarni, (1981) 4 SCC 130 to contend that mere reduction in chance of consideration did not result in deprivation of any right does not appeal to us. The appellant's case is founded on the principle of discrimination. What is sauce for the goose ought to be sauce for the gander. If the applicants in O.A. No. 111 of 2013 whom we find are identically situated to the appellant were found to be eligible to be given a third chance for promotion, because they acquired eligibility before the amendment to AI No. 37 of 1978 on 20.03.2013, we find no reason why the appellant should not be treated alike."

13. This Court in another writ petition W.P.(S) No.38/2025 **(Dr. Ganesh Chandra Sinha Vs. The State of Jharkhand & Ors.) [Neutral Citation No.- 2025:JHHC:24327]** while deciding similar issue involving the same DACP scheme has held that when in principle an entitlement of a group of persons has already been decided, it is immaterial as to who are the person who were appearing before the Court in the litigation. Benefits of the policy decision should be granted to all even if they are not a party to the litigation. It has also been held that this will avoid unnecessary litigation also. Similarly situated persons who even if have not appeared before the Court are entitled for same service benefits and the State cannot deny the same, as the persons who were not given the benefit and the persons who got the same are not a separate category.

14. Thus, in view of what has been held above, I am inclined to allow the writ petitions. The respondents are directed to give similar benefits to the petitioners and other similarly situated persons in terms of the judgment of the Hon'ble Division Bench of the High Court in L.P.A No.86/2018, **(Dr. Shyam Sundar Singh & Ors. Vs. The State of Jharkhand & Ors.)** where it has already been held the shifting of the cut-off date is not proper.

15. The consequential benefits should be released in favour of these petitioners within eight weeks from the date of receipt of

the copy of this order.

16. Since the issue has already been decided and the judgment of the Hon'ble Division Bench of this Court is confirmed by the Apex Court, it is expected that all the similarly situated persons who falls within the same class should be given the same benefits irrespective of the fact that they have filed any litigation before this Court or not.

17. With the aforesaid observations, this writ petition stands **allowed**.

18. Pending Interlocutory Applications, if any, stand disposed of.

19. A copy of this order be sent to the Chief Secretary and Principal Secretary, Department of Health, Medical Education & Family Welfare, Government of Jharkhand.

(ANANDA SEN, J.)