

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.K. JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR. JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P (KAT).NO.139 OF 2022

AGAINST THE ORDER DATED 11.5.2020 IN OA(EKM).NO.672/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO  
GOVERNMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM,  
KERALA, PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
KERALA, PIN - 695001
- 3 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY,  
EAST FORT, THIRUVANANTHAPURAM - 670523

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

RESPONDENTS/APPLICANTS IN O.A.:

- 1 DR. K. MOHAMED AKBAR  
AGED 55 YEARS, S/O.K. ABDU  
RAHMAN, SUPERINTENDENT, GOVERNMENT HOMOEOPATHY HOSPITAL,  
KOZHIKODE - 673 020, RESIDING AT 17/296 A, HUDA,  
DOWN HILL P.O., MALAPPURAM, KERALA , PIN - 676519
- 2 DR. C. PREETHA  
AGED 56, W/O BALAGOPALAH V.V., DISTRICT  
MEDICAL OFFICER (HOMOEOPATHY), CIVIL STATION, B BLOCK,

3RD FLOOR, KOZHIKODE- 673 020, RESIDING AT AROMA,  
NEAR SBI MAIN ROAD, KOYILANDY P.O., KOZHIKODE ,  
KERALA, PIN - 673305

- 3 DR. A.G. AJITH KUMAR  
S/O.GEORGE ARRANGASSERY, AGED 56 YEARS,  
RTD. CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEEO  
DISPENSARY, THIRUVAMPADY, KOZHIKODE - 673 603  
RESIDING AT 18/464, Z.C. NORTH ROAD, CHELAPPURARAM,  
KOZHIKODE, KERALA, PIN - 673002
- 4 DR. RAMADASAN. P  
S/O.RAMAN P., AGED 56 YEARS, RTD. CHIEF MEDICAL  
OFFICER, GOVERNMENT HOMOEEO DISPENSARY,  
PATTRKADAVU P.O., MALAPPURAM, PIN - 676 519,  
RESIDING AT PARAMBATH HOUSE, P.O. DOWN HILL,  
KOTTAPPADI, MALAPPURAM, KERALA, PIN - 676 519
- 5 DR. P.GOPINATH  
S/O M.K. APPUKUTTY, AGED 56 YEARS, RTD.  
SUPERINTENDENT, DISTRICT HOMOEOPATHY HOSPITAL,  
MALAPPURAM, PIN - 676 509, RESIDING AT MECHERI  
PARAMBATH HOUSE, R.E.C., KOZHIKODE,  
PIN - 673601, KERALA.
- 6 DR. N. SUKU  
S/O.THAMU V., AGED 56 YEARS, RTD. MEDICAL  
OFFICER, GOVERNMENT HOMOEEO DISPENSARY, KODIYATHUR,  
MUTTOM, KOZHIKODE, 673 602, RESIDING AT  
NEDUMGOTTUMMAL, NIT CAMPUS, KOZHIKODE, KERALA,  
PIN - 673601
- 7 DR. SUNIL KUMAR N  
S/O G.NARAYANAN, AGED 56 YEARS, RETIRED CHIEF MEDICAL  
OFFICER, GOVERNMENT HOMOEEO DISPENSARY, OACHIRA,  
KOLLAM, RESIDING AT PALLIPARAMBIL HOUSE, C/O.SHEEJA  
N., PANAYAPPALLY P.O., ERNAKULAM, KOCHI- 682002,  
KERALA.

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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BY ADV.SRI.S.RAMESH  
BY ADV.SRI.B.RAMACHANDRAN

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT)NOS.138/2022, 142/2022 AND CONNECTED CASES, THE  
COURT ON 01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.138 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM).NO.1234/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA  
STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO  
GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 3 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 670523

BY SRI. ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

RESPONDENTS/APPLICANTS IN O.A.:

DR. T. K. SAJEEV  
AGED 56 YEARS, S/O LATE KUTTAPPAN ACHARY, HOSPITAL  
SUPERINTENDENT, GOVERNMENT DSISTRICT HOMOEOPATHY HOSPITAL,  
KOZHIKODE, ERANHIPALAM P. O., PIN-673006, RESIDING AT  
CHUNDANGAPARAMBIL, KARUVISSERY P. O., KOZHIKODE,

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

:: 5 ::

PIN - 673010

BY ADV.SRI.S.RAMESH

BY SRI.RAJU JOSEPH (SR.)

BY ADV.SRI.C.JOSEPH ANTONY

BY ADV.SRI.JOHN MANJOORAN(K/526/2019)

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP  
FOR ADMISSION ON 28.06.2022, ALONG WITH OP(KAT).139/2022  
AND CONNECTED CASES, THE COURT ON 01.07.2022 DELIVERED THE  
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT) NO.142 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM).NO.1593/2021 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS IN O.A.:

- 1 THE STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001, KERALA.
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH (B) DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695 001, KERALA.
- 3 THE SECRETARY TO GOVERNMENT  
FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695 001, KERALA.
- 4 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE, EAST FORT, THIRUVANANTHAPURAM,  
PIN - 695 023, KERALA.

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

RESPONDENTS/APPLICANTS IN O.A.:

- 1 THE KERALA GOVERNMENT HOMOEOPATHIC MEDICAL OFFICERS  
ASSOCIATION, REF. NO.62/1996, SECRETARIAT, AUGRAHA,  
VADAKODE P.O., ERNAKULAM DISTRICT, PIN - 682 021,

REPRESENTED BY ITS STATE PRESIDENT, DR.SREELATHA L.B.,  
W/O.DR.REJI KUMAR, AGED 54 YEARS, ERNAKULAM, KERALA.

- 2 DR.AMBILI.N  
AGED 55 YEARS, W/O PRADEEP K., AGED 55 YEARS,  
HOSPITAL SUPERINTENDENT, DISTRICT HOMOEOPATHIC HOSPITAL,  
ERNAKULAM, RESIDING AT 'THEERTHAM', KOTTUR LANE,  
MEKKARA, SOUTH THRIPIYUNITHURA, ERNAKULAM - 682 301,  
KERALA., PIN - 682301
- 3 DR BABU, K.T  
AGED 55 YEARS, S/O THOMAS, AGED 55 YEARS, CHIEF  
MEDICAL OFFICER, GOVERNMENT HOMOEOPATHIC DISPENSARY,  
MULANTHURUTHY, ERNAKULAM, PIN - 682 314, RESIDING  
KUZHIMULLIL, KOTHATTUKULAM P.O., ERNAKULAM DISTRICT  
- 686 662, KERALA., PIN - 686662
- 4 DR.BEENA ZACHARIAS  
AGED 55 YEARS, W/O M.P. ANTONI, AGED 55 YEARS,  
DISTRICT, MEDICAL OFFICER (HOMOEOPATHIC), IDUKKI,  
PIN - 685 584, RESIDING MANJALY HOUSE, ATHANI P.O.,  
NEDUMBASSERY, ERNAKULAM DISTRICT, PIN - 683 585,  
KERALA., PIN - 683585

BY ADV.SRI.O.D.SIVADAS

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022 ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.146 OF 2022

AGAINST THE ORDER DATED 11.2.2022 IN O.A(EKM).NO.1282/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
KERALA - 695 001.
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, KERALA - 695 001.
- 3 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM - 685 023.

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

RESPONDENTS/APPLICANTS IN O.A.:

- 1 DR. SHYLESH KUMAR S  
AGED 56 YEARS, S/O SADASIVAN, RTD. TECHNICAL  
ASSISTANT, DIRECTORATE OF HOMOEOPATHY, RESIDING AT  
KRISHNATHEERTHAM, PUTHIYAKAVU, KILIMANNOOR,  
THIRUVANANTHAPURAM, KERALA - 695 601.



2 DR. MOHAMMED ZAKERALI  
AGED 56 YEARS, S/O.DR. ABDUL REHMAN, RTD. MEDICAL  
OFFICER, GOVERNMENT HOMOEOPATHIC DISPENSARY, RESIDING AT  
ZAKIR MANZIL, THAIVALAPPIL HOUSE P.O.,  
KASARGOD - 671 121.

BY ADV.SRI.G.SUDHEER

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022 ALONG WITH  
OP(KAT).139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.152 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.NO.726/2020 OF KERALA  
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, KERALA, PIN - 695001
- 2 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

RESPONDENTS/APPLICANTS IN O.A.:

- 1 DR. SANTHOSH KUMAR V.S  
AGED 55 YEARS, S/O M. VELUKUTTY,  
RESIDING AT SABNAM, MULLOOR P O, VIZHINJAM,  
THIRUVANANTHAPURAM, 695521, WORKING AS CHIEF MEDICAL  
OFFICER, GOVERNMENT HOMOEOPATHY DISPENSARY, RANNI,  
PAZHAVANGADI P O, PATHANAMTHITTA, KERALA-689673.
- 2 DR. JOY S D  
AGED 55 YEARS, S/O SUSHAJU BABU, RESIDING AT SIVAKRIPA,  
GRAMAM, ATTINGAL P.O, THIRUVANANTHAPURAM-695101

WORKING AS TECHNICAL ASSISTANT, DIRECTORATE OF  
HOMOEOPATHY, EAST FORT, THIRUVANANTHAPURAM-695023,  
KERALA.

- 3 DR. M A SHAILA  
AGED 55 YEARS, W/O A.SHARAFUDHEEN,  
RESIDING AT OOTTUKUZHAY HOUSE, CHEKKAKONAM P O,  
KARAKULAM, AZHIKODE, THIRUVANANTHAPURAM-695564  
WORKING AS CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHY  
DISPENSARY, SECRETARIAT, THIRUVANANTHAPURAM-695001,  
KERALA, PIN - 695001

BY ADV.SMT.ASHA S.V

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.155 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM) NO.672/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/NOT PARTIES IN THE O.A.:

- 1 DR.BINCY .D.  
AGED 40 YEARS, W/O.SHYBU SANTHAN,  
'SUNDALE', KAZHUTHUMUTTU, THOPPUMPADY,  
COCHIN-682 005.
- 2 DR.GRACE NINAN .T.  
W/O. KURIAN JOSEPH, 93/3, PERIYAR VIHAR,  
AMBALAPADY, KALAMASSERY, ERNAKULAM - 683 563.  
PH: 9446612712.
- 3 DR.JUBY KURIAKOSE  
AGED 36 YEARS, W/O. ELDHOSE.P.Y., POTTACKAL HOUSE,  
KARUKADAM.P.O., KOTHAMANGALAM, ERNAKULAM - 686 691.  
PH: 9895147527.
- 4 DR.BINISHA .E.  
AGED 35 YEARS, W/O. SUJITH SREEDHAR,  
E-308, CONFIDENT CYGNUS-III, PUKKATTUPADY,  
EDATHALA.P.O., ERNAKULAM - 683 561. PH: 9744537147.
- 5 DR.SANTHI MARIAM THOMAS  
AGED 38 YEARS, W/O. ANAND THANIKKAL,  
THANIKKAL HOUSE, PARVATHY RICE MILL ROAD,

KANIPAYYUR.P.O., THIRUR - 680 517.  
PH: 8111810894.

- 6 DR.ASWATHY DHAR  
AGED 37 YEARS, W/O.VINOD.M, 8/368, THOTTAPPADAN  
KAVALA, ALLAPRA.P.O., PERUMBAVOOR,  
ERNAKULAM - 683 556. PH: 9048220954.
- 7 DR.JEROME GEO .P.  
AGED 39 YEARS, S/O. P.J. GEORGE, THERAKAPLACKAL HOUSE,  
KUNNE PARAMBU ROAD, KRA/43, VAZHAKKALA,  
THRIKKAKARA.P.O. - 682 021.  
PH: 9496695348.

BY ADV.SRI.ELVIN PETER P.J.  
BY ADV.SRI.K.R.GANESH  
BY ADV.SRI.GOURI BALAGOPAL  
BY ADV.ABHIJITH.K.ANIRUDHAN  
BY ADV.SREELEKSHMI A.S.

RESPONDENTS/APPLICANTS & RESPONDENTS IN O.A.:

- 1 DR.K.MOHAMED AKBAR  
AGED 55 YEARS, S/O.K. ABDU RAHMAN, SUPERINTENDENT,  
GOVERNMENT HOMOEIO HOSPITAL, KOZHIKODE-673 020,  
RESIDING AT 17/296A, HUDA, DOWN HILL.P.O.,  
MALAPPURAM-676 519.
- 2 DR.C.PREETHA  
AGED 56 YEARS  
W/O. BALAGOPALAN. V.V.,  
DISTRICT MEDICAL OFFICER (HOMOEIO),  
CIVIL STATION, B BLOCK, 3RD FLOOR,  
KOZHIKODE - 673 020, RESIDING AT "AROMA",  
NEAR SBI MAIN ROAD, KOYILANDY.P.O.,  
KOZHIKODE - 673 305.
- 3 DR.A.G.AJITH KUMAR  
AGED 56 YEARS

S/O. GEORGE ARRANGASSERY,  
RETIRED CHIEF MEDICAL OFFICER,  
GOVERNMENT HOMOEIO DISPENSARY,  
THIRUVAMPADY, KOZHIKDOE-673 603,  
RESIDING AT 18/464, Z.C. NORTH ROAD,  
CHELAPPURAM, KOZHIKODE-673 002.

- 4 DR.RAMADASAN .P.  
AGED 56 YEARS  
S/O.RAMAN.P.,RETIRED CHIEF MEDICAL OFFICER,  
GOVERNMENT HOMOEIO DISPENSARY,PATTARKADAVU.P.O.,  
MALAPPURAM,PIN - 676 519, RESIDING AT  
PARAMBATH HOUSE, P.O. DOWN HILL, KOTTAPPADI,  
MALAPPURAM, PIN - 676 519.
- 5 DR.P.GOPINATH  
AGED 56 YEARS  
S/O. M.K. APPUKUTTY, RETIRED SUPERINTENDENT,  
DISTRICT HOMOEOPATHY HOSPITAL, MALAPPURAM, PIN - 676  
509, RESIDING AT MECHERI PARAMBATH HOUSE, R.E.C.,  
KOZHIKDOE, PIN-673 601., PIN - 673601
- 6 DR.N.SUKU  
AGED 56 YEARS  
S/O. THAMU.V., RETIRED MEDICAL OFFICER, GOVERNMENT  
HOMOEIO DISPENSARY, KODIYATHUR, MUTTOM,  
KOZHIKODE-673 602, RESIDING AT NEDUMGOTTUMMAL, NIT  
CAMPUS, KOZHIKODE-673 601, PIN - 673602
- 7 DR.SUNIL KUMAR.N,.  
AGED 56 YEARS  
S/O. G. NARAYANAN,RETIRED CHIEF MEDICAL OFFICER,  
GOVERNMENT HOMOEIO DISPENSARY, OACHIRA, KOLLAM,  
RESIDING AT PALLIPARAMBIL HOUSE, C/O. SHEEJA.N.,  
PANAYAPPALLY.P.O., ERNAKULAM, KOCHI-682 002.
- 8 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

9 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.

10 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM - 670 523.

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL  
BY ADV.SRI.S.RAMESH

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT).139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.164 OF 2022

AGAINST THE ORDER DATED 11.05.2022 IN O.A.(EKM).NO.672/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/APPLICANTS 3 & 6 IN O.A.:

- 1 DR.A.G.AJITHKUMAR  
AGED 59 YEARS  
S/O. GEORGE ARRANGASSERY, RETIRED CHIEF MEDICAL  
OFFICER, GOVERNMENT HOMOEOPATHIC DISPENSARY, THIRUVAMPADY,  
KOZHICOD-673 603, RESIDING AT 18/464, Z.C. NORTH  
ROAD, CHELAPPURAM, KOZHICOD - 673002, KERALA.
- 2 DR.N.SUKU  
AGED 59 YEARS  
S/O. THAMU.V., RETIRED MEDICAL OFFICER, GOVERNMENT  
HOMOEOPATHIC DISPENSARY, KODIYATHUR, MUTTOM, KOZHICOD-673  
602, RESIDING AT NEDUMGOTTUMMAL, NIT CAMPUS, KOZHICOD,  
KERALA, PIN - 673601

BY ADV.SRI.G.P.SHINOD  
BY ADV.SRI.AJIT G ANJARLEKAR  
BY ADV.SRI.GOVIND PADMANABHAN  
BY ADV.SRI.ATUL MATHEWS

RESPONDENTS/APPLICANTS 1 & 2, 4 & 5, 7 AND RESPONDENTS 1 TO 3 IN  
O.A.:

- 1 DR.K.MOHANED AKBAR



- AGED 55 YEARS  
S/O.K. ABDU RAHMAN, SUPERINTENDENT, GOVERNMENT HOMOEOPATHY HOSPITAL, KOZHIKODE 673 020, RESIDING AT 17/296A, HUDA, DOWN HILL.P.O., MALAPPURAM, KERALA, PIN - 676519
- 2 DR.C.PREETHA  
AGED 56 YEARS  
W/O. BALAGOPALAN. V.V., DISTRICT MEDICAL OFFICER (HOMOEOPATHY), CIVIL STATION, B BLOCK, 3RD FLOOR, KOZHIKODE 673 020, RESIDING AT "AROMA", NEAR SBI MAIN ROAD, KOYILANDY.P.O., KOZHIKODE, KERALA., PIN - 673305
- 3 DR.RAMADASAN.P  
AGED 56 YEARS  
S/O. RAMAN.P., RETIRED CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHY DISPENSARY, PATTARKADAVU.P.O., MALAPPURAM, PIN-676 519, RESIDING AT PARAMBATH HOUSE, P.O. DOWN HILL, KOTTAPPADI, MALAPPURAM, KERALA, PIN - 676519
- 4 DR.P.GOPINATH  
AGED 56 YEARS  
S/O. M.K. APPUKUTTY, RETIRED SUPERINTENDENT, DISTRICT HOMOEOPATHY HOSPITAL, MALAPPURAM, PIN 676 509, RESIDING AT MECHERI PARAMBATH HOUSE, R.E.C., KOZHIKODE, KERALA, PIN - 673601
- 5 DR.SUNIL KUMAR.N  
AGED 56 YEARS  
S/O. G. NARAYANAN, RETIRED CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHY DISPENSARY, OACHIRA, KOLLAM, RESIDING AT PALLIPARAMBIL HOUSE,C/O. SHEEJA.N., PANAYAPPALLY. P.O.; ERNAKULAM, KOCHI, KERALA., PIN - 682002
- 6 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , KERALA,

PIN - 695001

7 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, KERALA, PIN - 695001

8 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, KERALA, PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.175 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A. (EKM) NO.672/2020 OF THE  
KERALA ADMINISTRATIVE TRIBUNAL

PETITIONERS/APPLICANTS 1, 2, 4 & 5 IN THE O.A.:

- 1 DR.K.MOHAMED AKBAR  
AGED 57 YEARS  
S/O.K.ABDU RAHMAN, SUPERINTENDENT, GOVT. HOMEO  
HOSPITAL, KOZHIKODE-673020, RESIDING AT 17/296A,  
HUDA, DOWN HILL.P.O, MALAPPURAM., PIN - 676519
- 2 DR.C.PREETHA  
AGED 58 YEARS  
W/O.BALAGOPALAN.V.V, DISTRICT MEDICAL OFFICER (HOMEO),  
CIVIL STATION, B BLKOCK, 3RD FLOOR, KOZHIKODE-673020,  
RESIDING AT 'AROMA', NEAR SBI MAIN ROAD,  
KOYILANDY.P.O, KOZHIKODE., PIN - 673305
- 3 DR.RAMADASAN.P  
AGED 58 YEARS  
S/O.RAMAN.P, RETD. CHIEF MEDICAL OFFICER, GOVT. HOMEO  
DISPENSARY, PATTARKADAVU.P.O, MALAPPURAM, PIN-676519,  
RESIDING AT PARAMBATH HOUSE, P.O.DOWN HILL,  
KOTTAPPADI, MALAPPURAM, PIN - 676519
- 4 DR.P.GOPINATH

AGED 58 YEARS  
S/O.M.K.APPUKUTTY, RETD. SUPERINTENDENT, DISTRICT  
HOMEOPATHY HBOSPITAL, MALAPPURAM, PIN-676509,  
RESIDING AT MECHERI PARAMBATH HOUSE, R.E.C,  
KOZHIKODE., PIN - 673601

BY ADV.SRI.S.RAMESH

RESPONDENTS/RESPONDENTS IN THE O.A.:

- 1 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 670523
- 3 THE DIRECTOR OF HOMEOPATHY  
DIRECTORATE OF HOMEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
O.P(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.183 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM)NO.1282/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM ADDL. BENCH

PETITIONERS/APPLICANTS:

- 1 DR.SHYLESHKUMAR  
AGED 59 YEARS  
RETIRED TECHNICAL ASSISTANT, DIRECTORATE OF  
HOMOEOPATHY,RESIDING AT 'KRISHNATHEERTHAM',  
PUTHIYAKAVU, KILIMANOR P.O., THIRUVANANTHAPURAM,  
KERALA, PIN - 695601
  
- 2 DR. MOHAMMED ZAKERALI.A.T  
AGED 59 YEARS  
S/O.DR. ABDUL REHMAN, RTD. MEDICAL OFFICER,  
GOVERNMENT HOMOEIO DISPENCERY,UDUMA; RESIDING AT ZAKIR  
MANZIL, THAIVALAPPE, UDUMA P.O., KASARGOD,  
PIN - 671319

BY ADV.SRI.G.SUDHEER

BY ADV.SRI.R.HARIKRISHNAN (H-308)

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 3 THE DIRECTOR OF HOMEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP  
FOR ADMISSION ON 28.06.2022, ALONG WITH  
O.P(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.185 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A [EKM].NO.1234/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/APPLICANT IN O.A.:

DR. T.K.SAJEEV  
AGED 56 YEARS  
S/O. LATE KUTTAPPANACHARY, HOSPITAL SUPERINTENDENT,  
GOVERNMENT DISTRICT HOMOEOPATHIC HOSPITAL, KOZHIKODE,  
ERANHIPALAM P.O., PIN-673006, RESIDING AT  
CHUNDANGAPARAMBIL, KARUVISSERY P.O., KOZHIKODE,  
PIN-673010, KERALA

BY ADV.SRI.RAJU JOSEPH (SR.)  
BY ADV.SRI.C.JOSEPH ANTONY  
BY ADV.SRI.JOHN MANJOORAN

RESPONDENTS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001,  
KERALA.
- 2 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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THIRUVANANTHAPURAM-695001, KERALA.

3 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM-670523, KERALA.

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP  
FOR ADMISSION ON 28.06.2022, ALONG WITH  
O.P(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.188 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.NO.719/2022 OF KERALA  
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/NOT PARTIES TO THE ORIGINAL APPLICATION:

- 1 DR THARA K  
AGED 33 YEARS  
W/O.ANOOP KUMAR M, AGED 33 YEARS, PRANAVAM,  
VADAKKUMBAD, KARIVELLUR (P O), KANNUR, PIN - 670521
- 2 DR SUJINA P.V  
AGED 28 YEARS  
W/O. DR DILEEP K, VELLACHAL, KODAKKAT (P O),  
KASARAGOD, PIN - 671310
- 3 DR SREEKALA A.P  
AGED 34 YEARS  
W/O. SANILESH K, SREELAYAM, KALLIAD PO, KANNUR,  
PIN - 670593
- 4 DR ANJU G.S  
AGED 30 YEARS  
W/O. DR PRAJEESH G, GOKULAM HOUSE, VELLIMON P.O,  
CHERUMOODU, KOLLAM, PIN - 691511

BY ADV.SRI.T.R.RAJAN

BY ADV.SRI.SAJU J PANICKER

RESPONDENTS/APPLICANTS & RESPONDENTS:

- 1 DR. BAIJU K Y  
AGED 56 YEARS  
S/O VELAYUDHAN P, NOW WORKING AS CHIEF MEDICAL  
OFFICER, DISTRICT AYURVEDA HOSPITAL, VARKALA,  
THIRUVARTANTHAPURAM DISTRICT-695141, RESIDING AT  
PAURNAMI (HOUSE), PULIMATH  
P.O., THIRIVANANTHAPURAM, KERALA, PIN - 695612
- 2 DR SAJI V O  
AGED 55 YEARS  
S/O OOTHUPPAN, NOW WORKING AS CHIEF CHIEF MEDICAL  
OFFICER, DISTRICT AYURVEDA HOSPITAL, AYIROOR,  
PATHANAMTHITTA DISTRICT-689611, RESIDING AT  
VELUKIZHAKKETHIL HOUSE, OONNAKAVU P O, RANNI,  
PATHANAMTHITTA DISTRICT-689674, KERALA, PIN - 689674
- 3 DR N SAILAJA DEVI  
AGED 56 YEARS  
O/O D NARAYANANTHAMPI, NOW WORKING AS SUPERINTENDENT,  
DISTRICT AYURVEDA HOSPITAL, THODUPUZHA, IDUKKI  
DISTRICT-685585, RESIDING AT MALAVAM, HOUSE NOB-86A,  
RADHAKRISHNA LANE, VAZHAYILA, PEROORKADA P O,  
THIRUVANANTHAPURAM-695005, KERALA, PIN - 695005
- 4 DR MINI A K  
AGED 56 YEARS, D/O D YASODHARAN, NOW WORKING AS CHIEF  
MEDICAL OFFICER, GOVERNMENT AYURVEDA HOSPITAL,  
KIZHUVILAM,, THIRUVANANTHAPURAM DISTRICT-695304,  
RESIDING AT THRAYAMBAKAM, VATTAVILA JUNCTION,  
POWDIKONAM P O, THIRUVANANTHAPURAM DISTRICT-695587,  
KERALA, PIN - 695587
- 5 DR AREEPHA H  
AGED 56 YEARS

HOUSE NO, 8-48, DILL, ARYA NAGAR, MAMBAZHAKUNNU ROAD,  
MANIKANTESWARAM P O, NETTAYAM, THIRUVANANTHAPURAM-  
695013, KERALA, PIN - 695013

- 6 DR. DARSANA DEVI K  
AGED 56 YEARS  
HOUSE NO. 25, SANTHI NAGAR, GOVERNMENT PRESS ROAD,  
THIRUVANANTHAPURAM DISTRICT-695001, PIN - 695001
- 7 THE STATE OF KERALA  
CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 8 THE SECRETARY  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001 KERALA, PIN - 695001
- 9 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE  
DIRECTORATE OF INDIAN SYSTEM OF MEDICINE, AROGYA  
BHAVAN, P B NO. 182, THIRUVANANTHAPURAM, PIN - 695001

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME  
UP FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.190 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.NO.726/2020 OF KERALA  
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/APPLICANTS IN O.A.:

- 1 DR. SANTHOSH KUMAR V.S  
AGED 55 YEARS, S/O.M.VELUKUTTY,  
SABNAM, MULLOOR P.O., VIZHINJAM, THIRUVANANTHAPURAM -  
695521, PREVIOUSLY WORKING AS CHIEF MEDICAL OFFICER,  
GOVERNMENT HOMOEOPATHY DISPENSARY, RANNI, PAZHAVANGADI  
P.O., PATHANAMTHITTA- 689673, PIN - 689673
- 2 DR. JOY S.D,  
AGED 55 YEARS  
S/O SUSHAJU BABU, "SIVAKRIPA', GRAMAM,  
ATTINGAL P.O., THIRUVANANTHAPURAM - 695101  
PREVIOUSLY WORKING AS TECHNICAL ASSISTANT,  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 695023
- 3 DR. M.A SHAILA  
AGED 55 YEARS  
OOTTUKUZHY HOUSE,CHEKKAKONAM P.O., KARAKULAM,  
AZHIKODE, THIRUVANANTHAPURAM - 695564  
WORKING AS CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHY  
DISPENSARY, SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001

BY ADV.SRI.T.C.KRISHNA  
BY ADV.SRI.P.RAMAKRISHNAN  
BY ADV.SRI.C.ANIL KUMAR  
BY ADV.SMT.PREETHI RAMAKRISHNAN (P-212)  
BY ADV.SMT.ASHA K.SHENOY  
BY ADV.SRI.PRATAP ABRAHAM VARGHESE  
BY ADV.SRI.GOKUL KRISHNA

RESPONDENTS/RESPONDENTS IN O.A.:

- 1 STATE OF KERALA  
REPRESENTED BY SECRETARY TO GOVERNMENT,  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
STATUE, THIRUVANANTHAPURAM, PIN - 695001
  
- 2 THE DIRECTOR OF HOMEOPATHY  
DIRECTORATE OF HOMEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP  
FOR ADMISSION ON 28.06.2022, ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.201 OF 2022

AGAINST THE ORDER DATED 11.05.2022 IN O.A.(EKM).NO.672/2020 OF  
THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM, (ADDL.  
BENCH AT ERNKAULAM)

PETITIONERS/NOT PARTIES IN THE O.A.:

- 1 DR. SUMAYYA POOZHICKUTH  
AGED 38 YEARS  
W/O. MUNAWAR, RESIDING AT 'SOUDHA MANZIL',  
KARUVAMBRAM POST, MANJERI, PIN - 676123
- 2 DR. SRUTHYMOL.V.S  
AGED 36 YEARS  
W/O. RAJESH,RESIDING AT VADAKKEPURACKAL HOUSE,  
NHAMANGHAT.P.O.,THRISSUR, PIN - 679563
- 3 DR. ANISHAD.T.A.,  
AGED 36 YEARS  
S/O. ANANDAN T.K.,RESIDING AT THOZHUTGAL HOUSE,  
MOOTHAKUNNAM ERNAKULAM, PIN - 683516
- 4 DR. NEETHU.V.S.,  
AGED 35 YEARS  
W/O. NEERAJ,RESIDING AT VASANTHALAYAM,  
HOUSE NO.140-A,KUTTAMASSERY, ALUVA, PIN - 683505
- 5 DR. HAFSA MUHAMMED  
AGED 32 YEARS  
W/O. ANOOB LATHEEF, RESIDING AT KARAYIL HOUSE,

INCHOR, VARAPETTY.P.O., KOTHAMANGALAM,  
ERNAKULAM, PIN - 686691

BY ADV.SRI.ELVIN PETER P.J.  
BY ADV.SRI.K.R.GANESH  
BY ADV.SMT.GOURI BALAGOPAL  
BY ADV.SRI.ABHIJITH.K.ANIRUDHAN  
BY ADV.SMT.SREELEKSHMI A.S.

RESPONDENTS/APPLICANTS & RESPONDENTS IN O.A.:

- 1 DR. K. MOHAMED AKBAR  
AGED 55 YEARS  
S/O.K. ABDU RAHMAN, SUPERINTENDENT, GOVERNMENT HOMOEOPATHIC HOSPITAL, KOZHICODE-673 020, RESIDING AT 17/296A, HUDA, DOWN HILL.P.O., MALAPPURAM, PIN - 676519
- 2 DR. C. PREETHA  
AGED 56 YEARS  
W/O. BALAGOPALAN. V.V., DISTRICT MEDICAL OFFICER (HOMOEOPATHIC), CIVIL STATION, B BLOCK, 3RD FLOOR, KOZHICODE - 673 020, RESIDING AT "AROMA", NEAR SBI MAIN ROAD, KOYILANDY.P.O., KOZHICODE, PIN - 673305
- 3 DR. A.G.AJITH KUMAR  
AGED 56 YEARS  
S/O. GEORGE ARRANGASSERY, RETIRED CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHIC DISPENSARY, THIRUVAMPADY, KOZHICODE-673 603, RESIDING AT 18/464, Z.C. NORTH ROAD, CHELAPPURAM, KOZHICODE, PIN - 673002
- 4 DR. RAMADASAN.P.,  
AGED 56 YEARS  
S/O. RAMAN.P., RETIRED CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHIC DISPENSARY, PATTARKADAVU.P.O., MALAPPURAM, PIN - 676 519, RESIDING AT PARAMBATH HOUSE, P.O. DOWN HILL, KOTTAPPADI, MALAPPURAM, PIN - 676519.

- 5 DR. P. GOPINATH  
AGED 56 YEARS  
S/O. M.K. APPUKUTTY, RETIRED SUPERINTENDENT,  
DISTRICT HOMOEOPATHY HOSPITAL, MALAPPURAM,  
PIN - 676 509, RESIDING AT MECHERI PARAMBATH HOUSE,  
R.E.C., KOZHIKODE, PIN - 673601
  
- 6 DR. N. SUKU,  
AGED 56 YEARS  
S/O. THAMU.V., RETIRED MEDICAL OFFICER, GOVERNMENT  
HOMOEOPATHY DISPENSARY, KODIYATHUR, MUTTOM,  
KOZHIKODE-673 602, RESIDING AT NEDUMGOTTUMMAL,  
NIT CAMPUS, KOZHIKODE, PIN - 673601
  
- 7 DR. SUNIL KUMAR. N.,  
AGED 56 YEARS  
S/O. G. NARAYANAN, RETIRED CHIEF MEDICAL OFFICER,  
GOVERNMENT HOMOEOPATHY DISPENSARY, OACHIRA, KOLLAM,  
RESIDING AT PALLIPARAMBIL HOUSE, C/O. SHEEJA.N.,  
PANAYAPPALLY.P.O., ERNAKULAM, KOCHI, PIN - 682002
  
- 8 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001
  
- 9 THE SECRETARY TO GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
  
- 10 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 670523

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL  
BY ADV.SRI.S.RAMESH

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR  
ADMISSION ON 28.06.2022, ALONG WITH OP(KAT).NO.139/2022 AND CONNECTED  
CASES, THE COURT ON 01.07.2022 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.202 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM).NO.672/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/PETITIONERS (BY SPECIAL LEAVE) :

- 1 DR. FAZIA M.S  
AGED 38 YEARS, W/O.MOHAMMED ZIYAD K.S., RESIDING AT  
DARUL FAVAZ, CHANDIROOR P.O, ALAPPUZHA, PIN - 688535
- 2 DR. KARTHIKA VIJAYAKUMAR  
AGED 31 YEARS, D/O.VIJAYAKUMAR,  
NANDANAM HOUSE, MANNAMPATTA P.O, SREEKRISHNAPURAM,  
PALAKKAD., PIN - 687633
- 3 DR. JYOTSNA BALAKRISHNAN  
AGED 35 YEARS, W/O.NISHAD U.,  
THOKKAMANNIL HOUSE, CHULLOOR P.O, KOZHKODE.,  
PIN - 673601
- 4 DR. ASWATHI K.N  
AGED 29 YEARS, W/O.JITHIN DEV,  
KIZHAKKAYIL HOUSE, MANASSERY P.O, MUKKAM, KOZHIKODE,  
PIN - 673602
- 5 DR. DEEPTHY V.G  
AGED 33 YEARS, W/O.RAGHAV G.R.,  
DEEPASREE HOUSE, DOUBLE STREET, KODUVAYUR P.O,

PALAKKAD., PIN - 678501

- 6 DR. DEEPTHI M  
AGED 33 YEARS, W/O.BRIJESH RADHAKRISHNAN M.,  
MOOLAYIL HOUSE, KATTIL KOVILAKAM PARAMBA, NEAR  
PARAPPURAM TEMPLE, ARIKKINAR P.O, KOZHIKODE,  
PIN - 673028

BY ADV.SRI.B.G.HARINDRANATH  
BY ADV.SRI.ARUN THOMAS  
BY ADV.SRI.AMITH KRISHNAN H.  
BY ADV.SRI.M.GOPIKRISHNAN  
BY ADV.SRI.MATHEWS K. NELLUVELY

RESPONDENTS/APPLICANTS & RESPONDENTS IN O.A.:

- 1 DR. K. MOHAMED AKBAR  
AGED 55 YEARS, S/O.K.ABDU RAHMAN,  
SUPERINTENDANT, GOVT HOMOEEO HOSPITAL, KOZHIKODE,  
RESIDING AT 17/296A, HUDA, DOWN HILL P.O, MALAPPURAM,  
PIN - 676519
- 2 DR. C. PREETHA  
AGED 56 YEARS, W/O.BALAGOPALAN V.V.,  
DISTRICT MEDICAL OFFICE (HOMOEEO), CIVIL STATION,  
B BLOCK, 3RD FLOOR, KOZHIKODE-673 020, RESIDING AT  
"AROMA", NEAR SBI MAIN ROAD, KOYILANDY.P.O,  
KOZHIKODE., PIN - 673305
- 3 DR. A.G. AJITH KUMAR  
AGED 56 YEARS, S/O.GEORGE ARANGASSERY,  
GOVT.HOMOEEO DISPENSARY, THIRUVAMPADY, KOZHIKODE-673  
603, RESIDING AT 18/464, Z.C.NORTH ROAD, CHELAPPURAM,  
KOZHIKODE., PIN - 673002
- 4 DR. RAMADASAN  
AGED 56 YEARS, S/O.RAMAN P.,  
RETD. CHIEF MEDICAL OFFICER, GOVT. HOMOEEO DISPENSARY,

PATTARKADAVU.P.O, MALAPPURAM, PIN-676 519, RESIDING AT  
PARAMBATH HOUSE, P.O.DOWN HILL, KOTTAPPADI, MALAPPURAM.,  
PIN - 676519

- 5 DR. P. GOPINATH  
AGED 56 YEARS, S/O.M.K.APPUKUTTY,  
RETD. SUPERINTENDANT, DISTRICT HOMOEOPATHY HOSPITAL,  
MALAPPURAM, PIN-676 509, RESIDING AT MECHERI PARAMBATH  
HOUSE, R.E.C., KOZHIKODE., PIN - 673601
- 6 DR. N. SUKU  
AGED 56 YEARS, S/O.THAMU V.,  
RETD. MEDICAL OFFICER, GOVT. HOMOEEO DISPENSARY,  
KODIYATHUR, MUTTOM, KOZHIKODE-673 602, RESIDING AT  
NEDUMGOTTUMMAL, NIT CAMPUS, KOZHIKODE, PIN - 673601
- 7 DR. SUNIL KUMAR N  
AGED 56 YEARS, S/O.G.NARAYANAN,  
RETIRED CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEEO  
DISPENSARY, OACHIRA, KOLLAM, RESIDING AT PALLIPARAMBIL  
HOUSE, C/O SHEEJA.N, PANAYAPPALLY.P.O, ERNAKULAM, KOCHI.,  
PIN - 682002
- 8 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001
- 9 THE SECRETARY TO THE GOVERNMENT  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 10 THE DIRECTOR OF HOMEOPATHY  
DIRECTORATE, EAST FORT, THIRUVANATHAPURAM,  
PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR  
ADMISSION ON 28.06.2022, ALONG WITH OP(KAT).NO.139/2022 AND  
CONNECTED CASES, THE COURT ON 01.07.2022 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT).NO.205 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM).NO.1593/2021 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/PERSONS AFFECTED BY IMPUGNED JUDGMENT:

- 1 DR. SHIBIN PATTAKKA PUTHUKUDI.  
AGED 37 YEARS  
S/O VIJAYAN.P, VIJAY BHAVAN, MOORIYAD P.O,  
KUTHUPARAMBA, KANNUR DISTRICT., PIN - 670643
- 2 DR. PREMKUMAR C  
AGED 33 YEARS  
S/O SUKUMARAN C, AKKETTUCHALIL HOUSE, ALLY P.O,  
MUKKOM, KOZHIKODE DISTRICT, KERALA., PIN - 673602
- 3 SUMESH.C.S.  
AGED 43 YEARS  
S/O G CHANDRAN PILLAI, KALATHIL HOUSE, PADINGAREKKARA,  
UDINUR P.O, KASARAGOD DISTRICT., PIN - 671310
- 4 DR MUNEER K M  
AGED 34 YEARS  
S/O MUHAMMED K.M, KORAMANGALATH HOUSE MEPPADAM P.O,  
MEPPADAM, MAMPAD, MALAPPURAM DISTRICT., PIN - 676542
- 5 DR.REMYA RAMAN NAIR

- AGED 36 YEARS  
D/O KUZHUPPILLILI RAMAN NAIR,  
NANDANA PANANGADU P.O. PANDALAM, PATHANAMTHITTA  
DISTRICT., PIN - 689503
- 6 DR .JINTO P J.  
AGED 42 YEARS  
S/O P.D JACOB, PANENGADAN HOUSE, PARAPPUR POST,  
THRISSUR DISTRICT., PIN - 680552
- 7 DR.BELLA MARIA JOSE  
AGED 29 YEARS  
D/O DR.K.K.JOSE (LATE), KARIKUZHIYIL HOUSE, PUTHUPPADI  
P.O, ENGAPUZHA, KOZHIKODE DISTRICT., PIN - 673586
- 8 DR.VARSHA.B.GHOSH.  
AGED 35 YEARS  
D/O M.AJAYA GHOSH, THIRUVONAM, T.C.50/39(5), KALADY,  
KARAMANA.P.O, THIRUVANANTHAPURAM DISTRICT.,  
PIN - 695002
- 9 DR DANY FERDINEND  
AGED 31 YEARS  
S/O FERDINEND DANAM CI, KRIPA DALE (H), SANTHINAGAR  
HOUSING COLONY, SULTHAN BATHERY P.O, WAYANAD  
DISTRICT., PIN - 673592
- 10 DR PRIYESH K.  
AGED 42 YEARS  
YEARS, S/O GANGADHARAN K, GANESH BHAVAN,  
PANTHEERPADAM, KUNNAMANGALAM, KOZHIKODE DISTRICT.,  
PIN - 673571
- 11 DR RAJEEVAN E.P.  
AGED 43 YEARS  
S/O RAGHAVAN NAMBIAR M, EDATHIL VEETIL, CHERIKODE,  
CHERIKODE P. 0, SREEKANDAPURAMOVIA), KANNUR  
DISTRICT., PIN - 670631

- 12 DR SADIQ IBM KASIM T.  
AGED 34 YEARS  
S/O.MOHAMMED KASI, TIRUTHOOL HOUSE, MURIVAZHIKKAL,  
PARAVANNA P.O, MALAPPURAM DISTRICT., PIN - 676502
- 13 DR RABIYA A J  
AGED 34 YEARS  
D/O ABDUL JABBAR KUNJU, KIZHAKKE VALIYAVILA,  
MEKKATHIL, PADINJATTAKKARA P.O), THEVALAKKARA, KOLLAM  
DISTRICT, PIN - 690524

BY SRI.B.RAMACHANDRAN, CGC

RESPONDENTS/APPLICANTS IN O.A. & RESPONDENTS IN O.A.:

- 1 THE KERALA GOVERNMENT HOMOEOPATHIC MEDICAL OFFICERS  
ASSOCIATION. REF.NO.62/ 1996,SECRETARIAT,AUGRAHA,  
VADAKODE P.O, ERNAKULAM DISTRICT, PIN-682021,  
REPRESENTED BY ITS STATE PRESIDENT, DR. SREELATHA  
L.B., W/O DR. REJI KUMAR, AGED 54 YEARS,  
ERNAKULAM,KERA, PIN - 682021
- 2 DR. AMBILI.  
AGED 55 YEARS  
W/O PRADEEP, HOSPITAL SUPERINTENDENT, DISTRICT HOMOEOPATHIC  
HOSPITAL, ERNAKULAM, RESIDING AT THEERTHAM, KOTTUR  
LANE, MEKKARA, SOUTH THIRIPUNITHURA, ERNAKULAM, KERALA,  
PIN - 682301
- 3 DR.BABU.K.T  
AGED 55 YEARS  
S/O THOMAS, CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEOPATHIC  
DISPENSARY, MULANTHURUTHY, ERNAKULAM, RESIDING AT  
KUZHIMULLIL, KOOTHATTUKULAM P.O. ERNAKULAM  
DISTRICT, KERALA, PIN - 686662
- 4 DR. BEENA ZACHARIAS  
AGED 55 YEARS

W/O M.P. ANTONI, DISTRICT MEDICAL OFFICER (HOMOEOPATHY),  
IDUKKI, PIN-685584, RESIDING AT MANJALY HOUSE,  
ATHANI P.O., NEDUMBASSERY, ERNAKULAM DISTRICT, KERALA,  
PIN - 683585

- 5 STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA.,  
PIN - 695001
- 6 THE SECRETARY TO GOVERNMENT  
AYUSH (8) DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, KERALA., PIN - 695001
- 7 THE SECRETARY TO GOVERNMENT  
FINANCE DEPARTMENT, GOVERNMENT  
SECRETARIAT, THIRUVANTHAPURAM, KERALA., PIN - 695001
- 8 THE DIRECTOR OF HOMOEOPATHY  
DIRECTORATE OF HOMOEOPATHY, EAST FORT,  
THIRUVANANTHAPURAM, PIN - 670523

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL  
BY ADV. SRI.O.D.SIVADAS

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR  
ADMISSION ON 28.06.2022, ALONG WITH OP(KAT).NO.139/2022 AND  
CONNECTED CASES, THE COURT ON 01.07.2022 DELIVERED THE  
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

FRIDAY, THE 1<sup>ST</sup> DAY OF JULY 2022/10TH ASHADHA, 1944

O.P(KAT) .NO.207 OF 2022

AGAINST THE ORDER DATED 11.5.2022 IN O.A.(EKM) .NO.1234/2020 OF  
KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/PETITIONERS (BY SPECIAL LEAVE) :

- 1 DR.FAZIA.M.S  
AGED 38 YEARS, W/O.MOHAMMED ZIYAD K.S.,  
DARUL FAVAZ, CHANDIROOR.P.O, ALAPPUZHA, PIN - 688535
- 2 DR.KARTHIKA VIJAYAKUMAR  
AGED 31 YEARS, D/O.VIJAYAKUMAR,  
NANDANAM HOUSE, MANNAMPATTA.P.O, SREEKRISHNAPURAM,  
PALAKKAD, PIN - 687633
- 3 DR.JYOTSNA BALAKRISHNAN  
AGED 35 YEARS, W/O.NISHAD U.,  
THOKKAMANNIL HOUSE, CHULLOOR.P.O, KOZHIKODE,  
PIN - 673601
- 4 DR.ASWATHI.K.N  
AGED 29 YEARS, W/O.JITHIN DEV,  
KIZHAKKAYIL HOUSE, MANASSERY.P.O, MUKKAM, KOZHIKODE,  
PIN - 673602
- 5 DR.DEEPthy.V.G  
AGED 33 YEARS, W/O.RAGHAV G.R.,  
DEEPASREE HOUSE, DOUBLE STREET, KODUVAYUR.P.O,



PALAKKAD, PIN - 678501

- 6 DR.DEEPTHI.M  
AGED 33 YEARS, W/O.BRIJESH RADHAKRISHNAN M.,  
MOOLAYIL HOUSE, KATTIL KOVILAKAM PARAMBA, NEAR  
PARAPPURAM TEMPLE, ARIKKINAR.P.O, KOZHIKODE,  
PIN - 673028

BY ADV.SRI.B.G.HARINDRANATH  
BY ADV.SRI.ARUN THOMAS  
BY ADV.SRI.AMITH KRISHNAN H.  
BY ADV.SRI.M.GOPIKRISHNAN

RESPONDENTS/APPLICANTS & RESPONDENTS IN O.A.:

- 1 DR.T.K.SAJEEV  
AGED 56 YEARS, S/O.LATE KUTTAPPAN ACHARY,  
HOSPITAL SUPERINTENDENT, GOVERNMENT DISTRICT HOMEO  
HOSPITAL, KOZHIKODE, ERANHIPALAM.P.O, RESIDING AT  
CHUNDANGAPARAMBIL, KARUVISSERY.P.O, KOZHIKODE,  
PIN - 673010
- 2 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO  
GOVERNMENT, REPRESENTED BY THE CHIEF SECRETARY TO  
GOVERNMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 3 THE SECRETARY TO GOVERNMENT,  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 4 THE DIRECTOR OF HOMEOPATHY  
DIRECTORATE, EAST FORT, THIRUVANANTHAPURAM,  
PIN - 695023

BY SRI.ASOK M. CHERIAN, ADDL. ADVOCATE GENERAL

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING  
COME UP FOR ADMISSION ON 30.06.2022, ALONG WITH  
OP(KAT).NO.139/2022 AND CONNECTED CASES, THE COURT ON  
01.07.2022 DELIVERED THE FOLLOWING:

**'C.R.'**

## **J U D G M E N T**

**A.K. Jayasankaran Nambiar, J.**

Under what circumstances can the power of judicial review be exercised in matters of state policy ? That is the question that arises for our consideration in this batch of O.P(KAT)'s. The brief facts necessary for a disposal of these petitions are as follows:

Sometime in 2015, the State Government through an executive order brought the government doctors qualified in the Ayurveda/Yoga/Homeo/Unani/Siddha system of medicine under the fold of a separate government department (AYUSH). Resultantly, only the doctors qualified in the Allopathic system of medicine continued in service under the Health Department. The age of retirement of government doctors qualified in the various systems of medicine was uniform at 56 years till 2017. By an executive order dated 28.11.2017, however, the age of retirement of the allopathic doctors in the Health

Department of the State was enhanced to 60 years. No such decision was taken in respect of the doctors in the AYUSH department. Some of the members of the latter fraternity, therefore, approached the State Administrative Tribunal alleging discrimination, and seeking a direction to the State government to extend the benefit of enhanced age of retirement to them as well.

2. In two successive rounds of litigation, the Tribunal disposed the pending OA's before it with a direction to the State government to consider the grievance of the applicants. On both those occasions, the State government passed orders rejecting the requests and representations on the ground that the State government had not yet taken a policy decision in regard to enhancing the age of retirement of the doctors in the AYUSH department. This led the doctors in that department to once again approach the Tribunal impugning the order passed by the State government. This time around, the Tribunal, probably exasperated with the non-compliance by the State government with its directions, allowed the OA's by placing reliance on a recent judgment of the Supreme Court in **North Delhi Municipal Corporation v. Dr. Ram Naresh Sharma & Ors. - Judgment dated 03.08.2021 in C.A.No.4578 of 2021**, and directed the State

government to enhance the retirement age of doctors in the AYUSH department to 60 years as was done in the case of doctors in the Health department. The benefit of enhanced retirement age was, however, confined to only those who retired after 03.08.2021 ie. the date of the judgment of the Supreme Court in **NDMC (supra)**.

3. The order of the Tribunal has given rise to three categories of aggrieved persons before us. On the one hand there is the State, which is aggrieved by the order of the Tribunal to the extent it directs it to enhance the age of retirement of doctors in the AYUSH department to 60 years and on the other hand, there are the doctors of the AYUSH department who retired on superannuation on attaining the age of 56 years, prior to the date of the judgment of the Supreme Court in **NDMC (supra)**. They are aggrieved by the cut-off date fixed by the Tribunal for the benefit of enhanced retirement age. The third category consists of persons who are included in the rank lists prepared by the Kerala Public Service Commission [PSC] for appointment as doctors in the AYUSH department. They have approached this Court by filing O.P (KAT)'s, after obtaining the leave of this Court to do so. Although they do not have any *locus standi* to challenge the order of the Tribunal since they are not in service as of

now and, as persons empanelled in a select list prepared by the PSC they do not have any indefeasible right of appointment to any post either, we permitted the learned counsel appearing for them to advance arguments supporting the stand of the State.

4. The arguments of Sri. Ashok M. Cherian, the learned Additional Advocate General appearing for the State, and Sri. Elvin Peter PJ, Sri.T.R. Rajan, Sri.Harindranath and Sri.B. Ramachandran, the learned counsel appearing for the leave petitioners, are as follows:

- In as much as the State had not taken a policy decision with regard to enhancing the age of retirement of the doctors in the AYUSH department, it was not open to the Tribunal to force a policy decision on them by directing the State to enhance the retirement age of such doctors. It is contended that there are many factors, other than the nature of duties performed by the doctors in the Health department and the AYUSH department, that go into the taking of a policy decision as regards retirement age, and these factors have been ignored by the Tribunal in the impugned order. In support of the said contention, reliance is placed on the decisions in ***B. Bharat Kumar and Others v. Osmania University and Others - [(2007) 11 SCC 58]***; ***Mathai M.M. v. Elizabeth Xavier and Others - [2011 (2) KHC 387]***; ***Jagdish Prasad Sharma and Others v. State of Bihar and Others - [(2013) 8 SCC 633]*** and ***Kerala Assistant Public Prosecutors***

***Association v. State of Kerala and Others - [(2018) 7 SCC 314].***

- The reliance placed by the Tribunal on the decision of the Supreme Court in ***NDMC (supra)*** is wholly misplaced in as much as the facts in the said case are clearly distinguishable. In the said case, although the Ministry of Health & Family Welfare and the NMDC had initially excluded the doctors of the AYUSH department from the benefit of enhanced retirement age that was granted to General Duty Medical Officers (GDMO), the Ministry subsequently extended the benefit to the doctors of AYUSH also. While doing so, however, the benefit of enhanced retirement age for doctors in the AYUSH department was made effective from a later date. It was the disparity that arose consequent to the different dates from which the benefit of enhanced retirement age was extended to the doctors that was dealt with by the Supreme Court. It is submitted that the observations in the said judgment as regards the parity in treatment of doctors in both the departments have to be understood in the light of the above crucial facts.

5. Per Contra, the submissions of the learned Senior Counsel, Sri. Raju Joseph, duly instructed by Sri.C. Joseph Antony, Sri.G.P. Shinod, Sri.S. Ramesh, Sri.G. Sudheer, Smt.Asha S.V., Sri.P. Ramakrishnan and Sri.O.D. Sivadas, the learned counsel appearing on behalf of the contesting respondents, are as follows:

- The Tribunal was justified in placing reliance on the decision in **NMDC (supra)** more so when the court had made categorical observations therein to the effect that there was nothing to distinguish between the doctors under the AYUSH department and the Central Health Scheme. These observations, it is contended, prevent the State government from taking a different stand in the instant cases and hence the impugned order of the Tribunal calls for no interference from this Court.

- As regards the cut-off date of 03.08.2021 stipulated by the Tribunal for the benefit of enhanced retirement age for doctors under the AYUSH department, it is contended that there was no basis for the Tribunal to restrict the benefit to only those doctors of the AYUSH department retiring after the date of the judgment of the Supreme Court in **NMDC (supra)**. It is argued that once the law was declared by the Supreme Court, that there could not be a differential treatment accorded to the two categories of doctors, the benefit of enhanced retirement age had to be made applicable to the doctors under the AYUSH department from the very same date as that from which the benefit was extended to the doctors under the Health department.

6. We have considered the rival submissions and also perused the pleadings on record. We have also gone through the judgments cited on either side. At the very outset, we deem it apposite to quote the following passage from a recent judgment of the Supreme Court in



***New Okhla Industrial Development Authority & Anr. v. B.D. Singhal & Ors. - [2021 SCC OnLine SC 466]***, wherein while considering a similar issue regarding enhancement of retirement age, the Court observed as under:

“Whether the age of superannuation should be enhanced is a matter of policy. If a decision has been taken to enhance the age of superannuation, the date with effect from which the enhancement should be made falls within the realm of policy. The High Court in ordering that the decision of the State government to accept the proposal to enhance the age of superannuation must date back to 29 June 2002 has evidently lost sight of the above factual background, more specifically (i) the rejection of the original proposal on 22 September 2009; and (ii) the judgment of the Division Bench dated 17 January 2012 refusing to set aside the order rejecting the proposal on 22 September 2009 which has attained finality. But there is a more fundamental objection to the basis of the decision of the High Court. The infirmity in the judgment lies in the fact that the High Court has trenched upon the realm of policy-making and has assumed to itself, jurisdiction over a matter, which lies in the domain of the executive. Whether the age of superannuation should be increased and if so, the date from which this should be effected is a matter of policy into which the High Court ought not to have entered.” (*emphasis supplied*)

The above observations assume significance in the cases before us because we find that the Administrative Tribunal, in the order impugned in these petitions, has done precisely what the Supreme Court has exhorted the High Courts not to do. On the facts of the applications that were considered by the Tribunal, it was clear that

notwithstanding specific orders passed by it in two rounds of litigation, the State government had not passed orders giving reasons as to why it was of the view that the enhanced retirement age prescribed for doctors in the Health department could not be made applicable to the doctors in the AYUSH department. That being said, we notice that the order that was passed by the State government clearly stated that the State government had not taken a policy decision in the matter. In our view, when confronted with the said stand of the State government, the Tribunal ought to have disposed the OA's by directing the State government to take a policy decision one way or another, after giving reasons for their decision, if it was one that was against the interests of the applicants in the OA's. The Tribunal ought to have reminded itself of the fact that, in the absence of a policy decision taken by the State government, it was not within its domain to undertake that exercise by itself and thrust a decision on the State government.

7. No doubt, it is the case of the respondents herein that the Tribunal was justified in holding as it did based on the judgment of the Supreme Court in **NMDC (supra)**. We, however, do not agree. A reading of the said judgment clearly reveals that the factual circumstances obtaining in that case were entirely different, and clearly

distinguishable, from the facts in the petitions before us. Firstly, although in that case, the Ministry of Health & Family Welfare and the NMDC had initially excluded the doctors of the AYUSH department from the benefit of enhanced retirement age that was granted to General Duty Medical Officers (GDMO), the Ministry had subsequently extended the same benefit to the doctors of AYUSH also, by taking a policy decision to that effect, albeit from a later date. Secondly, it was in the context of the differential dates from which the benefit of enhanced retirement age was extended to the GDMO's and the doctors of AYUSH that the Court rendered the finding of discrimination between two categories of doctors who were apparently being treated differently for no other reason than that they were practitioners of different systems of medicine.

8. As against the facts in *NMDC (supra)*, the instant is a case where the State government has not taken a policy decision as regards the enhancement of retirement age of doctors in the AYUSH department. There are myriad factors that enter into the making of a decision as regards enhancement of retirement age, and we do not wish to speculate on what they might be. It is for the State government to undertake that exercise and come to a decision. For now, we need only

direct the State government to take that decision, by considering the representations preferred by the applicants in the OA's. We feel that such a direction needs to be issued, and the State government compelled to take a decision on merits, since the issue is one that has been urged and pursued by the applicants since 2017.

9. For the reasons stated above, we set aside the impugned order of the Administrative Tribunal and allow O.P (KAT) Nos.138, 139, 142, 146 and 152 of 2022 preferred by the State Government. Consequently, O.P (KAT) Nos.164, 175, 183, 185 and 190 of 2022 preferred by those applicants before the Tribunal, who were aggrieved by the cut-off date stipulated in the impugned order for obtaining the benefit of enhanced retirement age extended to doctors of the AYUSH department, are dismissed. O.P (KAT) Nos.155, 188, 201, 202, 205 and 207 of 2022 preferred by third parties after obtaining the leave of this Court are dismissed as not maintainable, as the said persons do not have any right to appointment to any post in the service under the AYUSH department, and cannot be seen as aggrieved persons for the purpose of maintaining the O.P (KAT)'s.

10. The State government shall consider the representations

preferred by the applicants in the OA's afresh and take a decision on the merits of their claims within an outer time limit of three months from the date of receipt of a copy of this judgment. The order passed by the State government shall contain clear reasons that manifest an application of mind by the State government to the issue of enhancement of retirement age of doctors in the AYUSH department.

The O.P (KAT)'s are disposed as above.

Sd/-  
**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

Sd/-  
**MOHAMMED NIAS C.P.**  
**JUDGE**

prp/

APPENDIX OF O.P(KAT) .NO.139/2022

PETITIONERS ANNEXURES:

- Annexure A1 TRUE COPY OF THE RELEVANT PAGES OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O. (P) NO.01/2013/FIN DATED 01.01.2013.
- Annexure A2 TRUE COPY OF THE ORDER, G.O. (MS.) NO. 169/17/H&FWD DATED 28.11.2017
- Annexure A3 TRUE COPY OF THE ORDER, G.O.(MS.) NO. 124/2015/H&FWD DATED 18.06.2015
- Annexure A4 TRUE COPY OF THE ORDER G.O.(RT.) NO. 231/2016/AYUSH DATED 02.06.2016
- Annexure A5 TRUE COPY OF THE NOTIFICATION NO. G.S.R. (27 (E) (F. NO. 25012/4/2016-ESTT./ (A-IV) DATED 05.01.2018
- Annexure A6 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A NO. 612/2018 OF THIS HON'BLE TRIBUNAL.
- Annexure A7 TRUE COPY OF THE ORDER G.O.(RT.) NO. 650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT
- Annexure A8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. (EKM) NO.125/2019 OF THIS HON'BLE

TRIBUNAL.

- Annexure A9 TRUE COPY OF THE REPRESENTATION DATED, 2.12.19  
FILED BY THE APPLICANTS 3 TO 6 BEFORE THE 1ST  
RESPONDENT
- Annexure A10 TRUE COPY OF THE G.O.RT. NO.119/2020/AYUSH  
DATED 29.02.2020 ISSUED BY THE 1ST RESPONDENT
- Annexure A11 TRUE COPY OF THE JUDGMENT DATED 31.01.2019 IN  
W.P.(C) NOS. 1951/2012 AND CONNECTED CASES OF  
THE HON'BLE HIGH COURT OF DELHI REPORTED IN  
CDJ 2019 DHC 103.
- Annexure A12 TRUE COPY OF THE JUDGMENT DATED 10.05.2019 IN  
SLP NO. 11944/2019 OF THE HONOURABLE SUPREME  
COURT, REPORTED IN CDJ 2019 SC 737
- Annexure A13 TRUE COPY OF THE DETAILS REGARDING THE RAPID  
ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY  
(RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure 14 TRUE COPY OF THE JUDGMENT DATED 08.08.2018 IN  
WRIT PETITION NO. 4071/2017 OF THE HON'BLE  
HIGH COURT OF JHARKHAND.
- Annexure 15 TRUE COPY OF THE JUDGMENT DATED 03.08.2021 IN  
CIYIL APPEAL NO. 4578/2021 ARISING OUT OF SLP  
(C) NO.10156/2019 OF THE HON'BLE SUPREME COURT
- Exhibit P1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL  
APPLICATION
- Exhibit P2 A TRUE COPY OF THE MISCELLANEOUS APPLICATION  
(EKM) NO.1258/2021
- Exhibit P3 COPY OF THE REPLY STATEMENT.
- Exhibit P4 COPY OF THE REJOINDER.

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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Exhibit P5

TRUE COPY OF ORDER DATED 11.05.2022 IN O.A.  
(EKM) NO.672/2020.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//



APPENDIX OF O.P(KAT).NO.138/2022

PETITIONERS ANNEXURES :

- Annexure A1 TRUE COPY OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O. (P) NO.01/2013/FIN DATED 01.01.2013
- Annexure A2 COPY OF G. O. (MS)NO. 169/17/H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT
- Annexure A3 COPY OF G. O. (MS))NO.124/2015/H&FWD DATED 18.06.2015 ISSUED BY THE GOVERNMENT
- Annexure A4 COPY OF G.O(RT)NO.231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT
- Annexure A5 COPY OF THE NOTIFICATION NO.G.S.R.27(E) (F.NO.25012/4/2016-ESTT. (A-IV) DATED 05.01.2018 ISSUED BY CENTRAL GOVERNMENT
- Annexure A6 COPY OF THE ORDER DATED 25/04/2018 IN OA 612/2018 OF THE HON'BLE TRIBUNAL
- Annexure A7 COPY OF G. O. (RT)NO.650/2018/AYUSH DATED 17/12/2018 ISSUED BY THE GOVERNMENT
- Annexure A8 COPY OF ORDER DATED 15.11.2019 IN OA(EKM)125/19 OF THE HON'BLE TRIBUNAL
- Annexure A9 COPY OF REPRESENTATION DATED 02.12.2019 FILED BY APPLICANTS 1 TO 4 BEFORE THE 1ST RESPONDENT IN OA(EKM) 125/2019
- Annexure A10 COPY OF THE G.O(RT)NO119/2020/AYUSH DATED

29.02.2020 ISSUED BY THE 1ST RESPONDENT

- Annexure A11 COPY OF THE JUDGMENT DATED 31.01.2019 IN WP(C)NO 1951/2012 AND CONNECTED CASES OF THE HON'BLE HIGH COURT OF DELHI REPORTED IN CDJ 2019 DHC 103
- Annexure A12 COPY OF THE JUDGEMENT DATED 10.05.2019 IN SLP NO. 11944/2019 OF THE HON'BLE SUPREME COURT, REPORTED IN CDJ 2019 SC 737
- Annexure A13 COPY OF THE DETAILS REGARDING THE THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA
- Annexure A14 COPY OF THE JUDGMENT DATED 08.08.2018 IN WRIT PETITION NO. 4071/2017 OF HON'BLE HIGH COURT OF JHARKHAND
- Exhibit P1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL APPLICATION
- Exhibit P2 ADOPTION MEMO FILED BY THE GOVERNMENT PLEADER TO ADOPT THE REPLY STATEMENT IN OA(EKM)NO 1593/2021
- Exhibit P3 COPY OF THE REJOINDER FILED BY THE APPLICANT TO THE REPLY STATEMENT FILED BY THE 2ND RESPONDENT IN OA(EKM) 1593/2021 WHICH WAS ADOPTED IN THIS OA
- Exhibit P4 COPY OF ORDER DATED 11.05.2022 IN OA(EKM)NO.1234/2020

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.142/2022

PETITIONERS ANNEXURES:

Annexure A1 TRUE COPY OF THE ORDER DATED 28.11.2017 VIDE  
G.O. (MS.) NO. 169/17/H&FWD.

Annexure2 TRUE COPY OF THE JUDGMENT IN CIVIL APPEAL  
NO. 4578 OF 2021 DATED 03.08.2021 OF THE  
HON'BLE SUPREME COURT

Annexure A3 TRUE COPY OF THE REPRESENTATION DATED  
06.08.2021 SUBMITTED BY THE 1ST APPLICANT TO  
THE 1ST RESPONDENT.

Annexure A4 TRUE COPY OF THE REPRESENTATION DATED  
06.08.2021 SUBMITTED BY THE 1ST APPLICANT TO  
THE 2ND RESPONDENT.

Annexure A5 TRUE COPY OF THE REPRESENTATION DATED  
06.08.2021 SUBMITTED BY THE 1ST APPLICANT TO  
THE 3RD RESPONDENT.

Exhibit1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL  
APPLICATION ALONG WITH ANNEXURES.

Exhibit P2 PHOTOCOPY OF THE REPLY STATEMENT.

Exhibit p3 PHOTOCOPY OF THE TRANSFER APPLICATION.

Exhibit P4 TRUE COPY OF ORDER DATED 11.05.2022 IN O.A.  
(EKM) NO. 1593/2021.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT).NO.146/2022

PETITIONERS ANNEXURES

- Annexure A1 TRUE COPY OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O.(P) NO. 01/2013/FIN DATED 01.01.2013.
- Annexure A2 TRUE COPY OF THE ORDER, G.O. (MS.) NO. 169/17/H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT.
- Annexure A3 TRUE COPY OF THE ORDER NO. G.O. (RT.) NO. 231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT.
- Annexure A4 TRUE COPY OF THE NOTIFICATION NO. G.S.R. 27 (E) (E. NO. 25012/4/2016-ESTT.(A-IV) DATED 05.01.2018 ISSUED BY THE CENTRAL GOVERNMENT.
- Annexure A5 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A NO. 612/2018 OF THIS HON'BLE TRIBUNAL.
- Annexure A6 TRUE COPY OF ORDER NO. G.O.(RT.) NO. 650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT.
- Annexure A7 TRUE COPY OF THE RELEVANT PAGE (FIRST PAGE) OF THE RANKED LIST FOR THE POST OF MEDICAL OFFICERS (HOMEO) PUBLISHED BY THE PSC, NO. 329/2015/SSIV (CATEGORY NO. 619/2012) BROUGHT INTO FORCE W.E.F. 03.08.2015.
- Annexure A8 TRUE COPY OF THE ORDER G.O.(MS.) NO. 30/2018/H&FWD DATED 20.02.2018 ISSUED BY THE GOVERNMENT.

- Annexure A9 TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure A10 TRUE COPY OF THE JUDGMENT DATED 08.08.2018 IN W.P.(C) NO. 4071/2017 OF THE HON'BLE HIGH COURT OF JHARKHAND AT RANCHI.
- Annexure A11 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. NO. 1154/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM.
- Annexure A12 TRUE TYPED COPY OF THE G.O.(RT.) NO. 119/2020/AYUSH DATED 29.02.2020 PASSED BY THE AYUSH (D) DEPARTMENT.
- Exhibit P1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL APPLICATION (EKM) 1282/2020
- Exhibit P2 PHOTOCOPY OF THE ADOPTION MEMO FILED BY THE GOVERNMENT PLEADER TO ADOPT THE REPLY STATEMENT IN OA (EKM) 1593/2021
- Exhibit P3 TRUE COPY OF ORDER DATED 11.05.2022 IN O.A. (EKM) NO. 1282/2020.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

APPENDIX OF O.P (KAT) .NO.152/2022

PETITIONERS ANNEXURES:

|              |   |
|--------------|---|
| Annexure A1  | TRUE COPY OF G.O. (P) NO. 01/2013/ FIN DATED 01.01.2013   |
| Annexure A2  | TRUE COPY OF THE G.O (RT) NO. 231/2016/AYUSH DATED 02.06.2016   |
| Annexure A3  | TRUE COPY OF THE ORDER, G.O (MS) NO. 169/17/HFWD DATED 28.11.2017   |
| Annexure A4  | TRUE COPY OF THE NOTIFICATION ISSUED BY THE CENTRAL GOVERNMENT NO. G.S.R. 27(E) [F. NO. 25012/4/2016-ESTT. (A-IV) ]DATED 05.01.2018 |
| Annexure A5  | TRUE COPY OF THE ORDER IN O.A NO.612/2018 DATED 25.04.2018  |
| Annexure A6  | TRUE COPY OF THE ORDER G.O (RT) NO. 650/2018/AYUSH DATED 17.12.2018   |
| Annexure A7  | TRUE COPY OF THE ORDER IN O.A NO. 185/2019 AND OTHER OAS WERE FILED AS O.A. (EKM) NO. 125/2019 AND O.A 1154/2019 DATED 15.11.2019   |
| Annexure A8  | TRUE COPY OF G.O (RT) NO.119/2020/AYUSH DATED 29.02.2020  |
| Annexure A9  | TRUE COPY OF G.O (MS) NO. 30/2018/H&FWD DATED 20.02.2018  |
| Annexure A10 | TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA           |
| Annexure A11 | TRUE COPY OF THE JUDGEMENT DATED 08.08.2018 IN WRIT PETITION NO.4071/2017 OF THE HON'BLE HIGH                                       |

COURT OF JHARKHAND

Annexure R2 (a) TRUE COPY OF THE GOVERNMENT LETTER NO.  
B3/45/2018/AYUSH DATED 17.07.2018

Annexure A12 TRUE COPY OF THE JUDGEMENT OF THE HONOURABLE  
SUPREME COURT IN CIVIL APPEAL NO. 4578 OF 2021  
(ARISING OUT OF SLP(C) 10156/2019)

Exhibit P1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL  
APPLICATION ALONG WITH ANNEXURES.

Exhibit P2 PHOTOCOPY OF THE STATEMENT FILED BY THE 2ND  
RESPONDENT IN OA

Exhibit P3 TRUE COPY OF THE MISCELLANEOUS APPLICATION NO.  
1616/2021

Exhibit P4 PHOTOCOPY OF THE TRANSFER PETITION P.T NO. 45  
OF 2021

Exhibit P5 PHOTOCOPY OF THE ADOPTION MEMO ALONG WITH  
REPLY STATEMENT

Exhibit P6 TRUE COPY OF ORDER DATED 11.05.2022 IN O.A NO.  
726/2020

Exhibit P5 TRUE COPY OF THE REJOINDER FILED BY THE  
RESPONDENTS 1 TO 7 DATED 08.02.2022 TO EXT. P3  
REPLY STATEMENT.

Exhibit P6 TRUE COPY OF THE ORDER DATED 11.05.2022 IN  
O.A. (EKM.) NO. 672/2020

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P (KAT) .NO.155/2022

PETITIONERS ANNEXURES:

- AnnexureA1 TRUE COPY OF THE AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O. (P) NO. 01/2013/FIN. DATED 01.01.2013.
- AnnexureA2 TRUE COPY OF THE ORDER, G.O. (MS) NO. 169/17/ H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT.
- AnnexureA3 TRUE COPY OF THE ORDER, G.O.(MS) NO. 124/2015/ H&FWD DATED 18.06.2015 ISSUED BY THE GOVERNMENT.
- AnnexureA4 TRUE COPY OF THE ORDER, G.O. (RT.) NO. 231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT.
- AnnexureA5 TRUE COPY OF THE NOTIFICATION NO. G.S.R. 27 (E) (F. NO. 25012/4/2016-ESTT. (A-IV) DATED 05.01.2018 ISSUED BY THE CENTRAL GOVERNMENT.
- AnnexureA6 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A. NO. 612/2018 OF THIS HON'BLE TRIBUNAL.
- AnnexureA7 TRUE COPY OF THE ORDER, G.O.(RT.) NO. 650/2018/ AYUSH DATED 17.12.2018, ISSUED BY THE GOVERNMENT.
- AnnexureA8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. (EKM.) NO. 125/2019 AND O.A. NO. 185/2019 OF THIS HON'BLE TRIBUNAL.



- AnnexureA9** TRUE COPY OF THE REPRESENTATION DATED 02.12.2019 FILED BY APPLICANTS 3 TO 6 BEFORE THE 1ST RESPONDENT.
- AnnexureA10** TRUE COPY OF THE ORDER, G.O.(RT.) NO. 119/2020/ AYUSH DATED 29.02.2020 ISSUED BY THE 1ST RESPONDENT.
- AnnexureA11** TRUE COPY OF THE JUDGMENT DATED 31.01.2019 IN W.P.(C) NOS. 1951/2012 AND CONNECTED CASES OF THE HON'BLE HIGH COURT OF DELHI REPORTED IN CDJ 2019 DHC 103.
- AnnexureA12** TRUE COPY OF THE JUDGMENT DATED 10.05.2019 IN S.L.P. NO. 11944/2019 OF THE HON'BLE SUPREME COURT, REPORTED IN CDJ 2019 SC 737.
- AnnexureA13** TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA.
- AnnexureA14** TRUE COPY OF THE JUDGMENT DATED 08.08.2018 IN WRIT PETITION NO. 4071/2017 O THE HON'BLE HIGH COURT OF JHARKHAND.
- AnnexureA15** TRUE COPY OF THE JUDGMENT DATED 03.08.2021 IN CIVIL APPEAL NO. 4578/2021 ARISING OUT OF SLP (C) NO. 10156/2019 OF THE HON'BLE SUPREME COURT.
- ExhibitP1** TRUE COPY OF THE RANKED LIST NO. 241-1/20/SS IV, CAT. NO. 542/17-1 DATED 19.08.2020.
- ExhibitP2** TRUE COPY OF THE O.A. (EKM.) NO. 672/2020 FILED BY THE RESPONDENTS 1 TO 7 BEFORE THE THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM, ADDITIONAL BENCH AT ERNAKULAM DATED 26.05.2020.

ExhibitP3 TRUE COPY OF THE REPLY STATEMENT FILED BY  
THE 9TH RESPONDENT IN O.A. (EKM.) NO.  
1593/2021.

ExhibitP4 TRUE COPY OF THE M.A. (EKM.) NO. 1258/2021  
IN O.A. (EKM.) NO. 672/2020 TO ACCEPT  
ADDITIONAL DOCUMENT. IN O.A. (EKM.) NO.  
672/2020.

ExhibitP5 TRUE COPY OF THE REJOINDER FILED BY THE  
RESPONDENTS 1 TO 7 DATED 08.02.2022 TO EXT.  
P3 REPLY STATEMENT.

ExhibitP6 TRUE COPY OF THE ORDER DATED 11.05.2022 IN  
O.A. (EKM.) NO. 672/2020

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.164/2022

PETITIONERS ANNEXURES:

- Annexure A1                    A TRUE COPY OF THE RELEVANT PAGES OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O (P) NO. 01/2013/FIN DATED 01.01.2013
- Annexure A2                    A TRUE COPY OF THE ORDER, GO. (MS) NO. 169/17/H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT.
- Annexure A3                    A TRUE COPY OF THE ORDER, GO. (MS) NO. 124/2015/H&FWD DATED 18.06.2015, ISSUED BY THE GOVERNMENT.
- Annexure A4                    A TRUE COPY OF THE ORDER G.O (RT) NO. 231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT..
- Annexure A5                    A TRUE COPY OF THE NOTIFICATION NO. G.S.R. 27 (E) (F.NO.25012/4/2016-ESTT./ (A-IV) DATED 05.01.2018 ISSUED BY THE CENTRAL GOVERNMENT.
- Annexure A6                    A TRUE COPY OF THE ORDER DATED 25.04.2018 IN OA NO.612/2018 OF THE TRIBUNAL.
- Annexure A7                    A TRUE COPY OF THE ORDER G.O (RT) NO. 650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT.
- Annexure A8                    A TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A (EKM) NO.125/2019 OF THIS HONOURABLE TRIBUNAL.

- Annexure A9 A TRUE COPY OF THE REPRESENTATION DATED 02.12.2019 FILED BY APPLICANTS 3 TO 6 BEFORE THE 1ST RESPONDENT
- Annexure A10 A TRUE COPY OF THE ORDER G.O(RT)NO.119/2020/AYUSH DATED 29.2.2020 ISSUED BY THE 1ST RESPONDENT.
- Annexure A11 A TRUE COPY OF THE JUDGMENT DATED 31.01.2019 IN W.P (C) NOS. 1951/2012 AND CONNECTED CASES OF THE HONOURABLE HIGH COURT OF DELHI REPORTED IN CDJ 2019 DHC 103.
- Annexure A12 A TRUE COPY OF THE JUDGMENT DATED 10.05.2019 IN S.L.P NO. 11944/2019 OF THE HONOURABLE SUPREME COURT, REPORTED IN CDJ 2019 SC 737.
- Annexure A13 A TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure A14 A TRUE COPY OF THE JUDGMENT DATED 08.08.2018 IN WRIT PETITION NO. 4071/2017 OF HONOURABLE HIGH COURT OF JHARKHAND.
- Annexure A15 A TRUE COPY OF THE JUDGMENT DATED 03.08.2021 IN CIVIL APPEAL NO. 4578/2021 ARISING OUT OF SLP (C) NO. 10156/2019 OF THE HONOURABLE SUPREME COURT.
- Exhibit P1 A CERTIFIED COPY OF O.A (EKM) NO: 672/2020, ALONG WITH ANNEXURES.
- Exhibit P2 TRUE COPY OF THE REPLY STATEMENT FILED BY THE 7TH RESPONDENT HEREIN IN O.A (EKM) NO: 672/2020.

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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Exhibit P3 TRUE COPY OF THE REJOINDER FILED BY THE  
APPLICANTS IN O.A (EKM) NO: 672/2020.

Exhibit P4 A TRUE COPY OF THE ORDER DATED 11/05/2022 IN  
O.A (EKM) NO: 672/2020 OF THE KERALA  
ADMINISTRATIVE TRIBUNAL AT  
THIRUVANANTHAPURAM

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT).NO.175/2022

PETITIONERS ANNEXURES:

- Annexure-A1 TRUE COPY OF THE AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O(P)NO.01/2013/FIN. DATED 1-1-2013.
- Annexure-A2 TRUE COPY OF THE ORDER, G.O(MS)NO.169/17/H&FWD DATED 28-11-2017 ISSUED BY THE GOVERNMENT.
- Annexure-A3 TRUE COPY OF THE ORDER, G.O(S)NO.124/2015/H&FWD DATED 18.6.2015, ISSUED BY THE GOVT.
- Annexure-A4 TRUE COPY OF THE ORDER, G.O(RT)NO.231/2016/AYUSH DATED 2-6-2016 ISSUED BY THE GOVT.
- Annexure-A5 TRUE COPY OF THE NOTIFICATION NO.G.S.R.27(E) (F.NO.25012/4/2016-ESTT. (A-IV) DATED 5.1.2018 ISSUED BY THE CENTRAL GOVERNMENT.
- Annexure-A6 TRUE COPY OF THE ORDER DATED 25.4.2018 IN O.A.NO.612/2018 OF THIS HONOURABLE TRIBUNAL.
- Annexure-A7 TRUE COPY OF THE ORDER, G.O(RT)NO.650/2018/AYUSH DATED 17.12.2018, ISSUED BY THE GOVERNMENT.
- Annexure-A8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A(EKM)NO.125/2019 AND O.A.NO.185/2019 OF THIS HONOURABLE TRIBUNAL.
- Annexure-A9 TRUE COPY OF THE REPRESENTATION DATED 2.12.2019 FILED BY APPLICANTS 3 TO 6 BEFORE

THE 1ST RESPONDENT.

- Annexure--A10 TRUE COPY OF THE ORDER, G.O.(I  
RT)NO.119/2020/AYUSH DATED 29.2.2020 ISSUED  
BY THE 1ST RESPONDENT.
- Annexure11 TRUE COPY OF THE JUDGMENT DATED 31.1.2019 IN  
W.P(C)NO.1951/2012 AND CONNECTED CASES OF  
THE HON'BLE HIGH COURT OF DELHI REPORTED IN  
CDJ 2019 DHC 103.
- Annexure-A12 TRUE COPY OF THE JUDGMENT DATED 10.5.2019 IN  
S.L.P.NO.11944/2019 OF THE HON'BLE SUPREME  
COURT, REPORTED IN CDJ 2019 SC 737.-
- Annexure-A13 TRUE COPY OF THE DETAILS REGARDING THE RAPID  
ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY  
(RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure-A14 TRUE COPY OF THE JUDGMENT DATED 8.8.2018 IN  
WRIT PETITION NO.4071/2017 OF HON'BLE HIGH  
COURT OF JHARKHAND.
- Annexure15 TRUE COPY OF THE JUDGMENT DATED 3.8.2021 IN  
CIVIL APPEAL NO.4578/2021 ARISING OUT OIF  
SLP(C)NO.10156/2019 OF THE HON'BLE SUPREME  
COURT.
- Exhibit.P1 TRUE COPY OF THE ORIGINAL APPLICATION, O.A.  
(EKM)NO.672/2020, FILED BY THE  
PETITIONERS/APPLICANTS BEFORE THE HON'BLE  
K.A.T.
- Exhibit.P2 TRUE COPY OF THE M.A. TO ACCEPT ADDITIONAL  
DOCUMENT FILED BY THE APPLICANTS IN THE  
O.A-.
- Exhibit.P3 TRUE COPY OF THE |ADOPTION MEMO FILED BY THE

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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GOVT. PLEADER IN O.A. (EKM\_)NO.672/2020 ALONG  
WITH THE REPLY STATEMENT FILED BY THE  
GOVERNMENT IN O.A. (EKM)NO.1593/2021.

Exhibit.P4

TRUE COPY OF THE REJOINDER NFILED BY THE  
APPLICANTS IN O.A. (EKM)NO.672/2020.

Exhibit.P5

CERTIFIED COPY OF THE COMMON ORDER DATED  
11.5.2022 IN O.A. (EKM)NO.672/2020 AND  
CONNECTED CASES OF THE HON'BLE KERALA  
ADMINISTRATIVE TRIBUNAL.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//



APPENDIX OF O.P(KAT) .NO.183/2022

PETITIONERS EXHIBITS:

- ExhibitP1 COPY OF THE O.P.(EKM) NO. 1282/2020 ON THE  
FILE OF KAT,ERNAKULAM BENCH
- ExhibitP1- Annexures A TRUE COPY OF THE G.O.(P) NO. 1/2013/FIN.  
A1 DATED 1.1.2013
- ExhibitP1-Annexure A TRUE COPY OF THE SAID ORDER, G.O.(MS) NO.  
A2 169/2017/H&FWD DATED 28.11.2017
- ExhibitP1- Annexure A TRUE COPY OF THE GOVERNMENT ORDER, G.O.  
A3 (RT) NO. 231/2016/AYUSH DATED 2.6.20916  
GRANTING SIX MONTHS EXTENSION OF THE AGE OF  
RETIREMENT TO THE HOMOEOPATHIC DOCTORS
- ExhibitP1-Annexure A TRUE COPY OF THE NOTIFICATION ISSUED BY  
A4 THE CENTRAL GOVERNMENT NO. G.S.R. 27(E),  
F.NO. 25012/4/2016-ESTT. (A-IV), DATED  
5.1.2018
- ExhibitP1-Annexure A TRUE COPY OF THE ORDER DATED 25.4.2018 IN  
A5 O.A. NO. 612/2018 OF KAT,ERNAKULAM BENCH
- ExhibitP1- Annexure A TRUE COPY OF THE SAID ORDER G.O.(RT) NO.  
A6 650/2018/AYUSH DATED 17.12.2018
- ExhibitP1-Annexure TRUE COPY OF THE RELEVANT PAGE (FIRST PAGE)  
A7 OF THE RANKED LIST FOR THE POST OF MEDICAL  
OFFICES (HOMEO) IN THE SCALE OF RS.20,740 -  
36,140 PUBLISHED BY THE P.S.C., NO.  
329/2015/SS1V (CATEGORY NO. 619/2012)  
BROUGHT INTO FORCE WITH EFFECT FROM 3.8.2015

ExhibitP1-Annexure A8 A TRUE COPY OF THE GOVERNMENT ORDER G.O. (MS) NO. 30/2018/H&FWD DATED 20.2.2018 REGARDING THE OBJECTION IN THE ENHANCEMENT OF AGE OF RETIREMENT FROM 60 TO 62 OF ALLOPATHIC DOCTORS

ExhibitP1-Annexure A9 A TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA

ExhibitP1-Annexure A10 TRUE COPY OF THE JUDGMENT DATED 8.8.2018 IN WRIT PETITION NO. 4071/J2017 OF HONOURABLE HIGH COURT OF JHARKHAND

ExhibitP1-Annexure A11 TRUE COPY OF THE ORDER IN OA NO 1154/2019 DT 15.11.2019

ExhibitP1-Annexure A12 TRUE COPY OF THE GO(RT) NO 119/2020/AYUSH DT 29.02,2020

ExhibitP2 COPY OF THE COMMON ORDER O.P. (EKM) NO. 1282/2020 ON THE FILE OF KAT,ERNAKULAM BENCH.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P (KAT) .NO.185/2022

PETITIONERS ANNEXURES:

|              |  |
|--------------|--|
| Annexure-A1  | TRUE COPY OF THE AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER GO(P) NO.01/2013/FIN. DATED 01.01.2013  |
| Annexure-A2  | TRUE COPY OF GO(MS) NO.169/17/H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT.   |
| Annexure-A3  | TRUE COPY OF GO(MS)NO.124/2015/H&FWD DATED 18.06.2015 ISSUED BY THE GOVERNMENT   |
| Annexure-A4  | TRUE COPY OF GO(RT)NO.231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT.  |
| Annexure-A5  | TRUE COPY OF THE NOTIFICATION NO.G.S.R.27(E) (F.NO.25012/4/2017-ESTT. (A-IV) DATED 05.01.2018 ISSUED BY THE CENTRAL GOVERNMENT |
| Annexure-A6  | TRUE COPY OF ORDER DATED 25.04.2018 IN OA.NO.612/2018 OF THE KERALA ADMINISTRATIVE TRIBUNAL                                    |
| Annexure-A7  | TRUE COPY OF GO(RT)NO.650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT   |
| Annexure-A8  | TRUE COPY OF ORDER DATED 15.11.2019 IN OA(EKM)125/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL                                   |
| Annexure-A9  | TRUE COPY OF REPRESENTATION DATED 02.12.2019 FILED BY THE APPLICANTS 1 TO 4 BEFORE THE 1ST RESPONDENT IN OA. (EKM) 125/2019    |
| Annexure-A10 | TRUE COPY OF THE GO(RT)NO.119/2020/AYUSH DATED   |

29.02.2020 ISSUED BY THE 1ST RESPONDENT

**Annexure-A11** ANNEXURE-A11 TRUE COPY OF THE JUDGMENT DATED 31.01.2019 IN WPC.NO.1951/2012 AND CONNECTED CASES OF THE HONOURABLE HIGH COURT OF DELHI REPORTED IN CD] 2019DHC 103

**Annexure-A12** TRUE COPY OF THE JUDGMENT DATED 10.05.2019 IN SLP NO.11944/2019 OF THE HON'BLE SUPREME COURT, REPORTED IN CD]2019 SC 737

**Annexure-A13** TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA

**Annexure-A14** TRUE COPY OF THE JUDGMENT DATED 8.8.2018 IN WPC.NO.4071/2017 OF HONOURABLE HIGH COURT OF JHARKHAND

**Exhibit-P1** TRUE COPY OF MEMORANDUM OF ORIGINAL APPLICATION IN O.A.NO,1234/2020 FILED BY THE PETITIONER BEFORE KERALA ADMINISTRATIVE TRIBUNAL

**Exhibit-P2** TRUE COPY OF THE REPLY AFFIDAVIT FILED BY THE RESPONDENTS IN OA(EKM) 1234/2020 OF KAT ERNAKULAM (ADOPTION MEMO AND COPY OF COUNTER IN CONNECTED CASE)

**Exhibit-P3** TRUE COPY OF THE REJOINDER FILED BY THE PETITIONER IN OA(EKM) 1234/2020

**Exhibit-P4** TRUE COPY OF ORDER DATED 11.05.2022 IN OA(EKM)1234/2020 OF KAT ERNAKULAM.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.188/2022

PETITIONERS EXHIBITS:

- Exhibit1 EXHIBIT1-RANKED LIST FOR THE POST OF MEDICAL OFFICER (AYURVEDA)/ASSISTANT INSURANCE MEDICAL OFFICER (AYURVEDA) DATED 8/7/2020
- Annexure A1 THE TRUE COPY OF GO (P) NO. 01/2013/FIN DATED 01-01-2013.
- Exhibit2 EXHIBIT2-ORDER DATED 11/5/2022 OF THE HONBLE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM IN OA-719/2022
- Annexure A2 THE TRUE COPY OF GO (MS) NO. 169/2017/H&FWD DATED 28-11-2017
- Exhibit3 EXHIBIT3-JUDGMENT DATED 3. 8. 2021 IN CIVIL APPEAL NO 4578/2021 OF THE HONBLE SUPREME COURT
- Annexure A3 THE TRUE COPY OF GO (MS) NO. 124/2015/H&FWD DATED 18-06-2015.
- Annexure A4 THE TRUE COPY OF THE NOTIFICATION NO. G.S.R. 27(E), F.NO. 25012/4/2016-ESTT. (A-IV) DATED 5-1-2018 ISSUED BY THE CENTRAL GOVERNMENT
- Exhibit4 EXHIBIT-RELEVANT PAGES (FRONT COVER AND PAGE NOS 53 AND 54) OF THE REPORT OF THE XI PAY REVISION COMMISSION PART I
- Exhibit5 EXHIBIT-MEDICAL EDUCATION SERVICE HOLDING THAT SERVICE OF TEACHERS IN AYURVEDA MEDICAL

EDUCATION SERVICE CANNOT BE EQUATED WITH  
MEDICAL EDUCATION SERVICE

- Annexure A5 THE TRUE COPY OF THE JUDGMENT DATED 31-01-2019 IN WP(C) NOS. 1951/2012 AND CONNECTED CASES OF THE HON'BLE HIGH COURT OF DELHI REPORTED IN CDJ 2019 DHC 103.
- Annexure A6 THE TRUE COPY OF THE JUDGMENT DATED 10-5-2019 IN SLP NO. 11944/2019 OF THE HON'BLE SUPREME COURT, REPORTED IN CDJ 2019 SC 737.
- Annexure A7 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 1ST APPLICANT BEFORE GOVERNMENT.
- Annexure A8 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 2ND APPLICANT 53-551 BEFORE GOVERNMENT.
- Annexure A9 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 3RD APPLICANT BEFORE GOVERNMENT.
- Annexure A10 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 4TH APPLICANT BEFORE GOVERNMENT.
- Annexure A11 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 5TH APPLICANT BEFORE GOVERNMENT.
- Annexure A12 THE TRUE COPY OF THE REPRESENTATION DATED 23-04-2022 SUBMITTED BY THE 6TH APPLICANT BEFORE GOVERNMENT
- Annexure A13 THE TRUE COPY OF THE JUDGMENT DATED 03-08-

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146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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2021 IN CIVIL APPEAL NO. 4578/2021.

Annexure A14

THE TRUE COPY OF THE JUDGMENT DATED 08-08-  
2018 IN WP(S) NO.4071/2017 OF HON'BLE HIGH  
COURT OF JHARKHAND.

Exhibit P6

COPY OF THE OA IN OA-719/2022 ON FILES OF  
THE KERALA ADMINISTRATIVE TRIBUNAL,  
THIRUVANANTHAPURAM.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.190/2022

PETITIONERS ANNEXURES:

|               |   |
|---------------|---|
| Annexure A-1  | TRUE COPY OF G.O (P) NO. 01/2013/FIN DATED<br>01-01-2013  |
| Annexure A-2  | TRUE COPY OF G.O (RT) NO. 231/2016/AYUSH<br>DATED 02-06-2016  |
| Annexure A-3  | TRUE COPY OF G.O (MS) NO. 168/17/DHS DATED<br>28-11-2017  |
| Annexure A-4  | TRUE COPY OF THE NOTIFICATION ISSUED BY THE<br>CENTRAL GOVERNMENT, NO. G.S.R 27 (E), F NO.<br>25912/4/2016-ESTT (A-IV) DATED 05-01-2018 |
| Annexure A-5  | TRUE COPY OF THE ORDER IN OA NO. 612/2018<br>DATED 25-04-2018   |
| Annexure A-6  | TRUE COPY OF G.O (RT) NO. 650/2018/AYUSH<br>DATED 17-12-2018  |
| Annexure A-7  | TRUE COPY OF ORDER IN O.A NO. 185/2019 AND<br>OTHER OAS WERE FILED AS O.A NO. 125/2019 AND<br>O.A 1154/2019 DATED 15-11-2019            |
| Annexure A-8  | TRUE COPY OF G.O (RT) NO. 119/2020/AYUSH<br>DATED 29-02-2020  |
| Annexure A-9  | TRUE COPY OF G.O (MS) NO. 30/2018/H&FWD<br>DATED 20-02-2018   |
| Annexure A-10 | TRUE COPY OF THE DETAILS REGARDING THE RAPID<br>ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY<br>(RAECH) OF THE GOVERNMENT OF KERALA         |



Annexure11 TRUE COPY OF THE JUDGMENT DATED 8-8-2018 IN  
WRIT PETITION NO. 4071/2017 OF HONOURABLE  
HIGH COURT OF JHARKAND

Annexure R-2 (a) TRUE COPY OF GOVERNMENT LETTER  
NO.B3/45/2018/AYUSH DATED 17-07-2018

Annexure A-12 TRUE COPY OF JUDGMENT OF THE HONOURABLE  
SUPREME COURT IN CIVIL APPEAL NO. 4578 OF  
2021

Exhibit P-1 TRUE COPY OF ORDER OF THE KERALA  
ADMINISTRATIVE TRIBUNAL IN OA NO. 726/2020  
DATED 11-05-2022

Exhibit P-2 TRUE COPY OF THE ORIGINAL APPLICATION WITH  
AFFIDAVIT AND SYNOPSIS

Exhibit P-3 TRUE COPY OF STATEMENT FILED BY THE 2ND  
RESPONDENT DATED 27-07-2021 ALONG WITH  
ANNEXURE R2 (A)

Exhibit P-4 TRUE COPY OF MA NO. 1616/2021 DATED 11-08-  
2021 (FILED ON 12-08-2021)

Exhibit P-5 TRUE COPY OF THE ADOPTION MEMO FILED BY THE  
GOVERNMENT PLEADER TO ADOPT THE REPLY  
STATEMENT IN OA (EKM) NO. 1593/2021.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.201/2022

PETITIONERS ANNEXURES:

- Annexure-A1 TRUE COPY OF THE AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O.(P) NO. 01/2013/FIN. DATED 01.01.2013.
- Annexure-A2 TRUE COPY OF THE ORDER, G.O. (MS) NO. 169/17/ H&FWD DATED 28.11.2017 ISSUED BY THE GOVERNMENT.
- Annexure-A3 TRUE COPY OF THE ORDER, G.O.(MS) NO. 124/2015/ H&FWD DATED 18.06.2015 ISSUED BY THE GOVERNMENT.
- Annexure-A4 TRUE COPY OF THE ORDER, G.O. (RT.) NO. 231/2016/AYUSH DATED 02.06.2016 ISSUED BY THE GOVERNMENT.
- Annexure-A5 TRUE COPY OF THE NOTIFICATION NO. G.S.R. 27 (E) (F. NO. 25012/4/2016-ESTT. (A-IV) DATED 05.01.2018 ISSUED BY THE CENTRAL GOVERNMENT.
- Annexure-A6 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A. NO. 612/2018 OF THIS HON'BLE TRIBUNAL.
- Annexure-A7 TRUE COPY OF THE ORDER, G.O.(RT.) NO. 650/2018/ AYUSH DATED 17.12.2018, ISSUED BY THE GOVERNMENT.
- Annexure-A8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. (EKM.) NO. 125/2019 AND O.A. NO. 185/2019 OF THIS HON'BLE TRIBUNAL
- Annexure-A9 TRUE COPY OF THE REPRESENTATION DATED

02.12.2019 FILED BY APPLICANTS 3 TO 6 BEFORE  
THE 1ST RESPONDENT.

- Annexure-A10 TRUE COPY OF THE ORDER, G.O.(RT.) NO.  
119/2020/ AYUSH DATED 29.02.2020 ISSUED BY  
THE 1ST RESPONDENT.
- Annexure-A11 TRUE COPY OF THE JUDGMENT DATED 31.01.2019  
IN W.P.(C) NOS. 1951/2012 AND CONNECTED  
CASES OF THE HON'BLE HIGH COURT OF DELHI  
REPORTED IN CDJ 2019 DHC 103.
- Annexure-A12 TRUE COPY OF THE JUDGMENT DATED 10.05.2019  
IN S.L.P. NO. 11944/2019 OF THE HON'BLE  
SUPREME COURT, REPORTED IN CDJ 2019 SC 737.
- Annexure-A13 TRUE COPY OF THE DETAILS REGARDING THE RAPID  
ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY  
(RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure-A14 TRUE COPY OF THE JUDGMENT DATED 08.08.2018  
IN WRIT PETITION NO. 4071/2017 O THE HON'BLE  
HIGH COURT OF JHARKHAND
- Annexure-A15 TRUE COPY OF THE JUDGMENT DATED 03.08.2021  
IN CIVIL APPEAL NO. 4578/2021 ARISING OUT OF  
SLP (C) NO. 10156/2019 OF THE HON'BLE  
SUPREME COURT.
- Exhibit P1 TRUE COPY OF THE RANKED LIST NO. 241-1/20/SS  
IV, CAT. NO. 542/17-1 DATED 19.08.2020.
- Exhibit P2 TRUE COPY OF THE O.A. (EKM.) NO. 672/2020  
FILED BY THE RESPONDENTS 1 TO 7 BEFORE THE  
THE KERALA ADMINISTRATIVE TRIBUNAL,  
THIRUVANANTHAPURAM, ADDITIONAL BENCH AT  
ERNAKULAM DATED 26.05.2020.

Exhibit P3 TRUE COPY OF THE REPLY STATEMENT FILED BY  
THE 9TH RESPONDENT IN O.A. (EKM.) NO.  
1593/2021.

Exhibit P4 TRUE COPY OF THE M.A. (EKM.) NO. 1258/2021  
IN O.A. (EKM.) NO. 672/2020 TO ACCEPT  
ADDITIONAL DOCUMENT. IN O.A. (EKM.) NO.  
672/2020.

Exhibit P5 TRUE COPY OF THE REJOINDER FILED BY THE  
RESPONDENTS 1 TO 7 DATED 08.02.2022 TO EXT.  
P3 REPLY STATEMENT.

Exhibit P6 TRUE COPY OF THE ORDER DATED 11.05.2022 IN  
O.A. (EKM.) NO. 672/2020.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.202/2022

PETITIONERS ANNEXURES:

- Annexure A1 TRUE COPY OF THE RELEVANT PAGES OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O(P)NO.01/2013/FIN DATED 01.01.2013.
- Annexure A2 TRUE COPY OF THE ORDER G.O(MS.)NO.169/17/H&FWD DATED 28.11.2017.
- Annexure A3 TRUE COPY OF THE ORDER G.O(MS.)NO.124/2015/H&FWD DATED 18.06.2015.
- Annexure A4 TRUE COPY OF THE ORDER G.O(RT.)NO.231/2016/AYUSH DATED 02.06.2016
- Annexure A5 TRUE COPY OF THE NOTIFICATION NO.G.S.R (27 (E) (F.NO.25012/4/2016-ESTT./ (A-IV) DATED 05.01.2018.
- Annexure A6 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A.NO.612/2018 OF THE ADMINISTRATIVE TRIBUNAL.
- Annexure A7 TRUE COPY OF THE G.O(RT.)NO.650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT.
- Annexure A8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. (EKM)NO.125/2019 OF THIS HON'BLE TRIBUNAL.
- Annexure A9 TRUE COPY OF THE REPRESENTATION DATED 2.12.2019 FILED BY THE APPLICANTS 3 TO 6

BEFORE THE FIRST RESPONDENT.

- Annexure A10 TRUE COPY OF THE G.O.RT.NO.119/2020/AYUSH  
DATED 29.2.2020 ISSUED BY THE 1ST  
RESPONDENT.
- Annexure A11 TRUE COPY OF THE JUDGMENT DATED 31.01.2019  
IN W.P(C)NOS.1951/2012 AND CONNECTED CASES  
OF THE HON'BLE HIGH COURT OF DELHI REPORTED  
IN CDJ 2019 DHC 103.
- Annexure A12 TRUE COPY OF THE JUDGMENT DATED 10.05.2019  
IN SLP NO.11944/2019 OF THE HON'BLE SUPREME  
COURT REPORTED IN CDJ 2019 SC 737.
- Annexure A13 TRUE COPY OF THE DETAILS REGARDING THE RAPID  
ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY  
(RAECH) OF THE GOVERNMENT OF KERALA.
- Annexure A14 TRUE COPY OF THE JUDGMENT DATED 08.08.2018  
IN WRIT PETITION NO.4071/2017 OF THE HON'BLE  
HIGH COURT OF JHARKHAND
- Annexure A15 TRUE COPY OF THE JUDGMENT DATED 03.08.2021  
IN CIVIL APPEAL NO.4578/2021 ARISING OUT OF  
SLP (C)NO.10156/2019 OF THE HON'BLE SUPREME  
COURT.
- Exhibit P1 TRUE COPY OF THE MEMORANDUM OF ORIGINAL  
APPLICATION
- Exhibit P2 A TRUE COPY OF THE MISCELLANEOUS APPLICATION  
(EKM)NO.1258/2021
- Exhibit P3 TRUE COPY OF THE REPLY STATEMENT
- Exhibit P4 TRUE COPY OF THE REJOINER

O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
& 207/2022

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Exhibit P5                    TRUE COPY OF THE ORDER DATED 11.05.2022 IN  
O.A. (EKM)NO.672/2020       OF       THE       HON'BLE  
ADMINISTRATIVE TRIBUNAL.

Exhibit P6                    TRUE COPY OF THE RANK LIST DATED 19-08-2020  
PUBLISHED BY THE KERALA PUBLIC SERVICE  
COMMISSION.

RESPONDENTS EXHIBITS       NIL.

//TRUE COPY//

APPENDIX OF O.P (KAT) .NO.205/2022

PETITIONERS ANNEXURES:

- Annexure A1 TRUE COPY OF THE ORDER DATED 28.11.2017 VIDE G.O (MS) NO. 169/17/ H&FWD.
- Annexure A2 TRUE COPY OF THE OF THE JUDGMENT IN CIVIL APPEAL NO. 4578 OF 2021 DATED 3.03.2021 OF THE HON'BLE SUPREME COURT.
- Annexure A3 TRUE COPY OF THE REPRESENTATION DATED 6.08.2021 SUBMITTED BY THE 1 ST APPLICANT TO THE 1 ST RESPONDENT.
- Annexure A4 TRUE COPY OF THE REPRESENTATION DATED 6.08.2021 SUBMITTED BY THE 1 ST APPLICANT TO THE 2 ND RESPONDENT.
- Annexure A5 TRUE COPY OF THE REPRESENTATION DATED 6.08.2021 SUBMITTED BY THE 1 ST APPLICANT TO THE 3 RD RESPONDENT.
- Exhibit P1 A TRUE COPY OF RANKED LIST NOTIFIED BY THE PSC FOR THE POST OF MEDICAL OFFICER (HOMEOPATHY) FOR BY TRANSFER APPOINTMENT BROUGHT INTO FORCE WITH EFFECT FROM 15.06.2022
- Exhibit P2 O.A (EKM) .NO.1593/2021 WITH ANNEXURES
- Exhibit P3 A TRUE COPY OF REPLY STATEMENT FILED BY THE 2ND RESPONDENT DATED 25.01.2022 .
- Exhibit P4 A TRUE COPY OF M.A (EKM) NO.4/2022 FILED BEFORE THE HONOURABLE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM DATED



O.P(KAT) Nos.139, 138, 142,  
146, 152, 155, 164, 175, 183,  
185, 188, 190, 201, 202, 205  
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03.02.2022

Exhibit P5

TRUE COPY OF ORDER DATED 11.05.2022 IN O.A  
(EKM) .NO.1593/2021.

RESPONDENTS EXHIBITS NIL.

//TRUE COPY//

APPENDIX OF O.P(KAT) .NO.207/2022

PETITIONERS ANNEXURES :

- Annexure A1 TRUE COPY OF THE RELEVANT PAGES OF AMENDMENT TO THE KERALA SERVICE RULES ISSUED BY THE GOVERNMENT AS PER G.O(P)NO.01/2013/FIN DATED 01.01.2013
- Annexure A2 TRUE COPY OF THE ORDER G.O(MS.)NO.169/17/H&FWD DATED 28.11.2017
- Annexure A3 TRUE COPY OF THE ORDER G.O(MS.)NO.124/2015/H&FWD DATED 18.06.2015
- Annexure A4 TRUE COPY OF THE ORDER G.O(RT.)NO.231/2016/AYUSH DATED 02.06.2016
- Annexure A5 TRUE COPY OF THE NOTIFICATION NO.G.S.R (27 (E) (F.NO.25012/4/2016-ESTT./ (A-IV) DATED 05.01.2018
- Annexure A6 TRUE COPY OF THE ORDER DATED 25.04.2018 IN O.A.NO.612/2018 OF THE ADMINISTRATIVE TRIBUNAL
- Annexure A7 TRUE COPY OF THE G.O(RT.)NO.650/2018/AYUSH DATED 17.12.2018 ISSUED BY THE GOVERNMENT
- Annexure A8 TRUE COPY OF THE ORDER DATED 15.11.2019 IN O.A. (EKM)NO.125/2019 OF THIS HON'BLE TRIBUNAL
- Annexure A9 TRUE COPY OF THE REPRESENTATION DATED 02.12.2019 FILED BY THE APPLICANTS 3 TO 6 BEFORE THE FIRST RESPONDENT
- Annexure A10 TRUE COPY OF THE G.O.RT.NO.119/2020/AYUSH DATED 29.2.2020 ISSUED BY THE 1ST RESPONDENT

- Annexure A11 TRUE COPY OF THE JUDGMENT DATED 31.01.2019 IN W.P(C)NOS.1951/2012 AND CONNECTED CASES OF THE HON'BLE HIGH COURT OF DELHI REPORTED IN CDJ 2019 DHC 103
- Annexure A12 TRUE COPY OF THE JUDGMENT DATED 10.05.2019 IN SLP NO.11944/2019 OF THE HON'BLE SUPREME COURT REPORTED IN CDJ 2019 SC 737
- Annexure A13 TRUE COPY OF THE DETAILS REGARDING THE RAPID ACTION EPIDEMIC CONTROL CELL HOMOEOPATHY (RAECH) OF THE GOVERNMENT OF KERALA
- Annexure A14 TRUE COPY OF THE JUDGMENT DATED 08.08.2018 IN WRIT PETITION NO.4071 OF 2017 OF THE HON'BLE HIGH COURT OF JHARKHAND
- Exhibit P1 TRUE COPY OF MEMORANDUM OF ORIGINAL APPLICATION
- Exhibit P2 TRUE COPY OF THE REPLY STATEMENT IN O.A. (EKM)NO.1593/2021 FILED BY THE 2ND RESPONDENT IN O.A. (EKM)NO.1593/2021 WHICH WAS ADOPTED IN O.A(EKM)NO.1234/2020
- Exhibit P3 TRUE COPY OF THE REJOINDER FILED BY THE 1ST RESPONDENT IN O.A. (EKM)NO.1593/2021
- Exhibit P4 TRUE COPY OF THE ORDER IN O.A. (EKM) NO.1234/2020 DATED 11.05.2022
- Exhibit P5 TRUE COPY OF THE RANK LIST PUBLISHED BY THE KERALA PUBLIC SERVICE COMMISSION DATED 19.08.2020

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//