



CNR: KAHC010012912023

NC: 2026:KHC:39578-DB
WA No. 53 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

WRIT APPEAL NO. 53 OF 2023 (EDN-RES)

BETWEEN:

1. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL DIVISION IV,
HQRS OFFICE, PANCHADEEP BHAVAN,
C I G MARG, NEW DELHI-110002,
REPRESENTED BY ITS
DIRECTOR GENERAL
2. THE EMPLOYEES STATE INSURANCE CORPORATION
POST GRADUATE INSTITUTE OF MEDICAL SCIENCES
AND RESEARCH, BENGALURU,
RAJAJINAGAR BENGALURU-10,
REPRESENTED BY ITS DEPUTY DIRECTOR

...APPELLANTS

(BY SRI. BASAVARAH JODATTI, ADVOCATE FOR
SMT. GEETHADEVI M.P., ADV. FOR APPELLANTS)

AND:

1. DR.SNEHALATA S
DAUGHTER OF S SHANKAR R,
AGED ABOUT 30 YEARS,

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka



**NC: 2026:KHC:39578-DB
WA No. 53 of 2023**

CNR: KAHC010012912023

RESIDING AT NO.3373, 4TH CROSS,
GAYATRI NAGAR, NEAR NAYAK HOSPITAL,
SRIRAMPURAM,
BENGALURU 560021.

2. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
105, 1ST FLOOR,
SECRETARIAT BUILDING,
VIKASA SOUDHA, SESHADRI ROAD,
BENGALURU 560001,
REPRESENTED BY ITS SECRETARY.
3. KARNATAKA EXAMINATIONS AUTHORITY
SAMPIGE ROAD, 18TH CROSS,
MALLESHWARAM, BENGALURU-560012
REPRESENTED BY ITS DIRECTOR.
4. KARNATAKA MEDICAL COUNCIL,
70, 2ND FLOOR, VAIDYAKEEYA BHAVANA,
K.R.ROAD, H.B.SAMAJA ROAD CORNER,
BASAVANAGUDI,BENGALURU-560001,
REPRESENTED BY ITS REGISTRAR.
5. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCE,
4TH T BLOCK, JAYANAGAR,
BENGALURU 560001,
REPRESENTED BY ITS REGISTRAR

...RESPONDENTS

(BY SRI. GURUPADAPPA GOLAPPA CHAGASHETTI., ADVOCATE
FOR R1;
SRI. KHAMROZ KHAN, AGA FOR R3;
SRI. BASAVARAJ S. SAPPANNAVAR, ADV. FOR R5,
R2, R4 AND R6 ARE SERVED AND UNREPRESENTED)



**NC: 2026:KHC:39578-DB
WA No. 53 of 2023**

CNR: KAHC010012912023

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 18/10/2022 OF THE LEARNED SINGLE JUDGE IN WP NO.3370/2022 ON THE FILE OF THIS HON BLE COURT AND DISMISS THE WRIT PETITION WITH COSTS.

THIS APPEAL IS COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

When the matter is called out, learned counsel for the appellant brought to our attention the judgment of this Court in W.A.No.312/2020 dated 06.04.2026. It is submitted that the issues raised in this appeal are identical to those considered by this Court in the said appeal.

2. We notice that the prayer in the writ petition from which this appeal arises was for *"to declare and hold the respondents Nos.3 and 4 no legal basis to insist upon the petitioner to compulsory serve for a period of three years upon completion of the PG course at the respondent - college."* The



CNR: KAHC010012912023

NC: 2026:KHC:39578-DB
WA No. 53 of 2023

writ petition was disposed of along with several other writ petitions by allowing the petitions and quashing the revision of bond conditions vide memorandum dated 28.07.2020. It is the case of the petitioners that it is in identical circumstances in respect of a different academic year that W.A.No.312/2020 is considered and directions were issued as under:

"79. In view of the above, the present appeal is allowed and the impugned order is set aside.

80. We may note that during the course of the submissions, it was pointed out that some of the petitioners may have already taken up employment elsewhere and may not be in a position to render the services. It is also contended that some of the petitioners may have acquired further qualifications and therefore, if they are called upon to render any service at ESIC hospital, it should be commensurate with their experience.

81. Those petitioners who are unable to join would necessarily be obliged to pay the reduced amount of Rs.5,00,000/- with interest. This Court is informed that some of the petitioners have paid the bond amount. It is also open for the petitioners to approach ESIC to grant them a reasonable time to join the services, and needless to state, ESIC would consider reasonable requests sympathetically. Illustratively, if a student is midway through another course. It would be open for the student to request that the commencement of the period of compulsory service be deferred and he be given appropriate time to join the services.

82. Insofar as those petitioners who are willing to render the service (which is now confined to a period of one year), ESIC is at liberty to avail the services of those petitioners at any of the ESIC hospitals. However, ESIC would also consider the placing the petitioners in positions



CNR: KAHC010012912023

NC: 2026:KHC:39578-DB
WA No. 53 of 2023

commensurate with their experience and further qualifications."

3. The learned counsel for the appellants submits that the finding in W.A.No.312/2020 would apply to this case as well.

4. Having considered the contentions advanced and in view of the fact that the issue raised in this appeal is similar to that considered in W.A.No.312/2020, we pass the following:

ORDER

- i. The appeal is ***allowed*** in the following terms.
- ii. The petitioners in the writ petitions, who have approached the Employees State Insurance Corporation and have joined services in ESIC hospitals shall continue in service for a period of one year, which is the compulsory service as of now.
- iii. In case any of the writ petitioners who did not join the services of Corporation and who are willing to do so, may report before the ESIC informing of their willingness to join the services in ESIC Hospitals. If they do so, the ESIC shall consider their request for posting and post them in places commensurate with their qualifications subject to availability of posts.
- iv. Those petitioners who do not intend to join the ESIC service shall be obliged to pay the



CNR: KAHC010012912023

**NC: 2026:KHC:39578-DB
WA No. 53 of 2023**

reduced bond amount of Rs.5,00,000/- with interest.

- v. Further, it is open to the petitioners to approach the ESIC for grant of reasonable time either to join the services or to make the payment of the bond amount.
- vi. The ESIC shall consider placing the petitioners in positions commensurate with their experience and further qualifications.

Pending I.As, if any, stands disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VENKATESH NAIK T)
JUDGE**

AG
List No.: 1 Sl No.: 24