

Reserved on : 08.04.2026

Pronounced on : 07.07.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 07TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 9103 OF 2026 (S-KSAT)

BETWEEN:

1. DR. PREMA KUMARI N.,
W/O. DR. DAGARAJ. K,
AGED ABOUT 55 YEARS,
WORKING AS SPECIALIST
(GYNECOLOGIST),
COMMUNITY HEALTH CENTRE,
K.K.PURA, HOSADURGA TALUK,
CHITHRADURGA DISTRICT – 577 527
2. DR. SOWMYASHREE T.G,
D/O. GOINDARAJU,
AGED ABOUT 36 YEARS,
WORKING AS SPECIALIST
(GYNECOLOGIST)
COMMUNITY HEALTH CENTRE
DUDDA, TIPTUR TALUK,
TUMKUR DISTRICT – 573 118.
3. DR. NALINA M.,
W/O. DR. NAVEEN S.,
AGED ABOUT 38 YEARS,
WORKING AS SPECIALIST
(GYNECOLOGIST)
COMMUNITY HEALTH CENTRE

CHINAKURALI,
PANDAVAPURA TALUK,
MANDYA DISTRICT – 571 455

4. DR. NISHITHA K.,
W/O. DR. VINAY P.,
AGED ABOUT 39 YEARS,
WORKING AS SPECIALIST
(GYNECOLOGIST)
COMMUNITY HEALTH CENTRE
PADUVALLAPPE,
HOLENARASIPURA TALUK,
HASSAN DISTRICT – 573 211
5. DR. POORNA CHANDRA
THEJASWINI P.,
AGED ABOUT 39 YEARS,
W/O. DR. SUCHETH MURTHY,
WORKING AS SPECIALIST
(GYNECOLOGIST)
COMMUNITY HEALTH CENTRE,
SOLUR, MAGADI TALUK,
RAMANAGARA DISTRICT – 562 127
6. DR. GEETHA. S.M.
W/O. MAHADEV,
AGED ABOUT YEARS,
WORKING AS SPECIALIST
(ANESTHETIST)
COMMUNITY HEALTH CENTRE,
CHANDRAPPA CIRCLE,
BENGALURU URBAN DISTRICT – 562 130
7. DR. SRIDHARA,
S/O. NAGARAJAPPA,
AGED ABOUT 41 YEARS
WORKING AS SPECIALIST
(ANESTHETIST)
COMMUNITY HEALTH CENTRE
VIJAYAPURA, DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT – 562 135

8. DR. SHOBHA RANI. T,
W/O. DR. S. SRINIVASA,
AGED ABOUT 56 YEARS,
WORKING AS SPECIALIST (GYNECOLOGIST),
COMMUNITY HEALTH CENTRE,
SHIVALLI, MANDYA TALUK,
MANDYA DISTRICT – 571 405

...PETITIONERS

(BY SRI. VIJAYA RAGHAVA SARTHY H. M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
HEALTH AND FAMILY
WELFARE DEPARTMENT
VIKASA SOUDHA
BENGALURU - 560 001
2. THE COMMISSIONER
DEPARTMENT OF HEALTH AND
FAMILY WELFARE SERVICES
AROGYA SOUDHA,
MAGADI ROAD
BENGALURU - 560 023
3. THE DIRECTOR
DEPARTMENT OF HEALTH AND
FAMILY WELFARE SERVICES
AROGYA SOUDHA,
MAGADI ROAD
BENGALURU - 560 023
4. DR. MOHAMMAED ABDUL WAJID
S/O. MOHAMMED ABUD RAUF,
AGED 39 YEARS,
WORKING AS SPECIALIST
(ANESTHETIST)
COMMUNITY HEALTH CENTRE,
SANTHPUR,

AURAD TALUK
BIDAR DISTRICT – 585 421

...RESPONDENTS

(BY SRI. REUBEN JACOB, AAG A/W
SRI V. SHIVAREDDY, AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE AN APPROPRIATE WRIT ORDER OR DIRECTION IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER PASSED IN APPLICATION NOS. 1859-1866/2026 AND 1905/2026 DATED 05/03/2026 (ANNEXURES-A AND A1) AND CONSEQUENTLY QUASH THE IMPUGNED CORRIGENDUM BEARING NO.E-1980596 DATED 09/02/2026 AND THE CORRIGENDUM BEARING NO.E-1980596, DATED 11/02/2026 ISSUED TO THE CIRCULAR DATED 09/02/2026 BY THE 2ND RESPONDENT (VIDE ANNEXURES-A7 AND A8) AS IT PERTAINS TO THE OBG AND ANESTHESIA SPECIALIST AND AFTER PERUSAL SET ASIDE THE SAME AND ETC,.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY,
K.V. ARAVIND J., PASSED THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE K. V. ARAVIND

C.A.V. ORDER

(PER: HON'BLE MR. JUSTICE K.V. ARAVIND)

Heard Sri H.M. Vijaya Raghava Sarthy, learned counsel for the petitioners, and Sri Reuben Jacob, learned Additional Advocate General, along with Sri V. Shivareddy, learned Additional Government Advocate, for respondent Nos.1 to 3.

2. This writ petition is filed by the applicants in Application Nos.1859-1866 of 2026, impugning the refusal to grant an interim order by order dated 05.03.2026 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short, 'the Tribunal').

3. The brief facts of the case are that the applicants/petitioners, who are specialists in Gynecology, Pediatrics and Anesthesiology, are posted and working in Community Health Centres (for short, 'CHCs'). The State Government, based on the number of deliveries in the CHCs, identified certain centres as triad posts, involving triad specialists, namely, a combination of an obstetrician, an anesthetist, and a pediatrician. Based on the number of deliveries in the Community Health Centres, the specialists working therein were redeployed to other hospitals.

3.1 In order to effect the transfers, counselling was scheduled on 29.12.2025, along with the list of eligible doctors. The said counselling was cancelled and rescheduled by including 69 specialists who had completed their post-graduation courses through the in-service quota of the Government. Thereafter, separate lists were prepared based on the completion or non-completion of the minimum tenure of posting. First preference was given to doctors who had not completed the minimum tenure of three years. List No.2 contained the names of the other doctors.

3.2 It was the grievance of the petitioners that the places shown for counselling were not in conformity with the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and Other Staff) Rules, 2025 (for short, 'the Rules, 2025'). It is also pleaded that, though posts were available in nearby places, the same were not shown during counselling and, instead, the petitioners were posted to distant places.

3.3 The Tribunal, taking note of the scheme formulated and the necessity for issuance of the corrigendum, opined that the matter required consideration and that the transfers could not

be stayed. The said order is impugned in the present writ petition.

4. Sri H.M. Vijaya Raghava Sarthy, learned counsel appearing for the petitioners, submits that when the first round of counselling was to be conducted based on the notified list, the same was cancelled without assigning any reasons, and fresh names, said to be of candidates who had returned after completing postgraduate courses through the in-service quota, were included, thereby denying the petitioners a fair opportunity to opt for suitable postings. It is further submitted that the subsequent bifurcation of the list into doctors who had not completed the minimum tenure of three years and doctors who had completed the minimum tenure of three years, and according priority to the former category, is without any basis.

4.1 It is also submitted that, as per the Rules, the nearest place to the present posting has to be offered for selection. However, the vacancies available in the nearest places were not shown for selection during the counselling, and consequently, the petitioners have been posted to far-off places, which are beyond 300 kilometres. It is submitted that the entire process of counselling is contrary to the Rules.

5. *Per contra*, Sri Reuben Jacob, learned Additional Advocate General appearing for the respondents-State, submits that a list of doctors working in CHCs was prepared and counselling was notified. It is submitted that, as a large number of in-service candidates were also awaiting postings upon completion of their postgraduate courses, the list was revised by including their names so as to provide postings to them.

5.1 It is submitted that the list contained doctors who had not completed the minimum tenure of three years and that such doctors were required to be given priority for postings to the nearest places. Hence, two separate lists were prepared based on the completion or non-completion of the minimum tenure of three years.

5.2 It is further submitted that the entire restructuring exercise was undertaken to ensure the availability of services in CHCs, which are required to function with triad specialists. Accordingly, the available postings were identified and notified. While notifying the vacancies, the source of budget, namely, regular, NHM and DC contract, was also taken into consideration.

5.3 It is submitted that the counselling scheduled on 29.12.2025 included only 254 specialists, whereas the revised list included an additional 69 specialists. It is also submitted that, in situations where one of the triad specializations was not available, posting of only one specialist was not permissible. It is submitted that the postings were made to ensure the effective functioning of CHCs, which require a combination of triad specialists, namely, obstetricians, anesthetists and pediatricians. It is submitted that such an exercise was necessitated in public interest.

6. We have considered the submissions made by the learned counsel for the petitioners and the learned Additional Advocate General appearing for the respondents-State.

7. The present petition is directed against the rejection of the interim prayer seeking stay of the transfer orders. The object of redeployment by way of transfers is founded on the necessity of CHCs and the availability and requirement of triad specialists. Taking note of the policy of the State, attempts have been made to ensure that triad specialists are available at one place. The redeployment, *prima facie*, appears to be in public interest.

8. Rule 15 of the Rules, 2025 mandates posting of medical officers returning from study leave. Similarly, the Rules provide priority to doctors who have not completed the minimum tenure of three years, and such doctors are required to be accommodated in the same place or in the nearest place. Insofar as doctors who have completed three years of service are concerned, their postings are dependent upon the availability of vacancies.

9. The submission of the learned Additional Advocate General that, unless vacancies or sanctioned strength in respect of all the three triad posts are available, the mere availability of a vacancy in a particular specialization cannot be treated as a vacancy for the purpose of offering it to the petitioners, cannot be rejected outright. When a scheme or programme is formulated in public interest, issuance of corrigenda or circulars for the effective implementation of such scheme or programme may become necessary.

10. If all the contentions urged in the petition are to be answered by this Court at this stage, the same would prejudice the rights of the parties, as the matter is pending consideration before the Tribunal. This Court does not find any infirmity or

error in the order passed by the Tribunal. The petitioners are members of the medical service working in Government hospitals, whose services are necessary in public interest. Any interference with the transfer orders would seriously impact public health and public interest.

11. The contentions urged by the petitioners alleging violation of the Rules, 2025, non-notification of available vacancies, failure to notify vacancies in nearby places, and posting of the petitioners to distant places, require detailed consideration by the Tribunal. Consideration of such issues, as observed hereinabove, may affect the rights of both parties. We are, therefore, not inclined to examine or adjudicate upon the said contentions in view of the pendency of the application before the Tribunal.

12. The application before the Tribunal is dated 21.02.2026. The Tribunal has posted the matter for further consideration on 16.03.2026. The learned Additional Advocate General appearing for the respondents-State, during the course of hearing, submitted that objections would be filed to the application at the earliest and that the matter would be argued before the Tribunal on merits.

13. In the light of the above, the following:

O R D E R

- i. The writ petition is ***dismissed***.
- ii. The respondents-State is granted two weeks' time to file its statement of objections, if not already filed.
- iii. Considering the nature of the grievance made, we deem it appropriate to request the Tribunal to dispose of the application within six weeks from the date of filing of objections by the State.
- iv. If objections have already been filed, the Tribunal shall endeavour to dispose of the application within six weeks from the date of uploading of this order.
- v. The observations made hereinabove are only for the purpose of disposal of this writ petition and shall neither influence the Tribunal nor prejudice the contentions of either party.

vi. No order as to costs.

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

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**

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