HC-KAR

NC: 2026:KHC:20971-DB
WA No. 82 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 82 OF 2021 (EDN-RES)

BETWEEN:

1. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL DIVISION-IV HEAD QUARTERS 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 RESERRACH, BANGALORE, RAJAJINAGAR
BENGALURU 560 010
REPRESENTED BY ITS DY DIRECTOR

Digitally signed by NIRMALA DEVI
Location: HIGH COURT OF KARNATAKA

3. EMPLOYEES STATE INSURANCE COLRPORATION
MEDICAL DIVISION-IV
HQRS. OFFICE, PANCHADEEP BHAVAN
C.I.G.MARG, NEW DELHI-110002
REPRESENTED BY ITS
DRPUTY MEDICAL COMMISSIONER (ME)

…APPELLANTS

(BY SMT. GEETHA DEVI M P.,ADVOCATE)

AND:

1. DR D R SWATHI
CARE OF NAREDNDRANATH
AGED ABOUT 28 YEARS

R/AT 41/11E, AISHWARYA CASTLE APARTMENTS
NORTH MAIN ROAD, YEDIYUR
JAYANAGAR BENGALURU-560082

2. DR DHIRAV
S/O DR P RAMESH
AGED ABOUT 28 YEARS
R/AT B.56, 3DRD MAIN
BHARAT NAGAR, BEML NAGAR
POST-563115, KOLAR GOLD FIELDS
KARNATAKA

3. DR SHETTY SONIYA SHEKHAR
C/O NARENDRANATH
AGED ABOUT 28 YEARS
R/AT NO.41/11E
AISHWARYA CASTLE APARTMENTS
NORTH MAIN ROAD
YEDIYUE, JAYANAGAR
BENGALURU-560082

4. DR KAVYA G
D/O C.SUMAN
AGED ABOUT 29 YEARS
R/AT H.NO.201/47, 50TH CROSS,
17TH MAIN, 3RD BLOCK, RAJAJINAGAR
BENGALURU-10

5. DR RITHVIKA WALAD
D/O SHIVAPPA WALAD
AGED ABOUT 28 YEARS
R/AT 7TH FLOOR, GIRLS PG HOSTEL
ESICMC PGIMSR, RAJAJINAGAR
BENGALURU-560010

6. DR ABHILASH SHARMA K
S/O GOPALAKRISHNA BHAT K

AGED ABOUT 27 YEARS
R/AT NO.4, 6TH CROSS,
ASHWATHNARAYANA LAYOUT
PUTTENAHALLI, J P NAGAR
7TH PHASE, BENGALURU-560078

7. DR YASHASWINI G
D/O A GANGADHAR
AGED ABOUT 27 YEARS
NO.701, ESI MEDICAL COLLEGE HOSTEL,
RAJAJINAGAR
BENGALURU-560010

8. DR SHWETHA R
AGED ABOUT 29 YEARS
D/O RAMAKRISHNAIAH M
LNO.632/1, 8TH CROSS,
BANDAPPA STREET,
YESHWANTHPUR
BENGALURU-560022

9. DR HARSHA R
S/O RAMACHANDRA B
AGED ABOUT 28 YEARS
MB 109, 2ND FLOOR
BEL COLONY, NAGALAND CIRCLE
JALAHALI
BENGALURU-560013

10. DR AYESHA
D/O SYED BASHEER AHMED
AGED ABOUT 29 YEARS
R/AT AA602, 6TH FLOOR
ALPINE BLOCK, GOLDEN GRAND
APARTMENTS, YESHWANTHPUR
BENGALURU-560022

11. DR SIDDARAJU H S
S/O SUBBEGOWDA H S
AGED ABOUT 31 YEARS
NO.81, 3RD CROSS, VITTAL NAGAR
CHAMARAJPET
BENGALURU-560018

12. DR RAGHAVENDRA C Y
S/O YADUKUMAR
AGED ABOUT 27 YEARS
R/AT 107, BUILDING
GROUND FLOOR
NEAR SATYA GANAPATHI TEMPLE
NETAJI BHADAVANE KHB COLONY
SHIRKE APARTMENTS, KENGERI UPANAGARA,
BENGALURU-560060

13. DR ANIL KUMAR M
S/O MAHESH B
AGED ABOUT 28 YEARS
R/AT MB NO.110, 2ND FLOOR, BEL COLONY,
NAGALAND CIRCLE,
JALAHALLI
BENGALURU-560013

14. DR KULAL SHALIWAN
AGED ABOUT 31 YEARS
S/O SIDRAMAPPA
R/AT NO.446, 8TH MAIN
4TH BLOCK, KORAMANGALA
BENGALURU-560034

15. DR DEEPIKA S P
D/O PASUPATHY S
AGED ABOUT 29 YEARS
NO.3, INDIRA STREET, A CROSS
SAMPANGI ROAD

M S NAGAR POST
BENGALURU-560033

16. DR MALIKARUN B KALMANI
S/O BHEEMARAYA
AGED ABOUT 31 YEARS
R/AT NO.603, ESI HOSPITAL BOYS HOSTEL,
NEAR HOSPITAL,
RAJAJINAGAR
BENGALURU-560010

17. DR SUMAYYA SANA
AGED ABOUT 28 YEARS
NO.4/1, 1ST FLOOR, KHAZI STEET
BASAVANAGUDI
BENGALURU-560004

18. DR TEJASWINI B
D/O BASAVARAJAPPA B
AGED ABOUT 28 YEARS
ESIC PG LADIES HOSTEL
ESI MEDICAL COLLEGE
RAJAJINAGAR
BENGALURU-560010

19. DR MOHAMMED IBRAHIM SHARIFF
S/O ZABIULLA SHERIFF
AGED ABOUT 30 YEARS
NO.07, 3RD CROSS, ROSHAN NAGAR
DEEPANJALI NAGAR
MYSORE ROAD
BENGALURU-560026

20. DR BRAMHANAND A BHANGARGI
AGED ABOUT 28 YEARS
S/O ARJUN BHANGARGI
NO.801, 8TH FLOOR

ESIC BOYS HOSTEL CAMPUS
RAJAJINAGAR
BENGALURU-560 010

21. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE
105, 1ST FLOOR, SECRETARIAT BUILDILNG,
VIKASA SOUDHA,
SESHADRI ROAD
BENGALURU-560001
REPRESENTED BY ITS SECRETARY

22. NATIONAL MEDICAL COMMISSION
(ERSTWHILE MEDICAL COUNCIL OF INDIA)
POCKET 14, SECTOR 8, DWARKA,
PHASE-1, NEW DELHI-110077
REPRESENTED BY ITS SECRETARY

23. KARNATAKA EXAMINATIONS AUTHORITY
SAMPIGE ROAD, 18TH CROSS
MALLESHWARAM
BENGALURU-560012
REPRESENTED BY IS DIRECTOR

24. UNION OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN, NEW DELHI
REP.BY ITS SECRETARY

…RESPONDENTS

(BY MS. HIREMATH AKKAMAHADEVI.,ADVOCATE FOR R1, 3 TO 14, 18 TO 20;
SRI N. KHETTY, ADVOCATE FOR R22;
RESPONDENTS 2, 15 AND 23 SERVED AND UNREPRESENTED;
SMT. NAMITHA MAHESH, B.G. AGA) FOR R21
V/O DATED 29.6.2021 APPEAL DISMISSED AGAINST R16 AND 17;
SMT. SWAMINI GANESH MOHANAMBAL CGC FOR R24.

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED THE 16.12.2020 OF THE LEARNED SINGLE JUDGE IN W.P. NO. 14448/2020 ON THE FILE OF THIS HON BEL COURT AND DISMISS THE WRIT PETITION WITH COSTS.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. None appears for the other contesting respondents.

2. The learned counsel for the parties submit that the issue involved in the present appeal is squarely covered by the decision of this Court in **Writ Appeal No.312 of 2020 [EDN-RES] decided on 06.04.2026.**

3**.** The learned counsel for the appellants submits that respondent Nos. 16 and 17 have already paid the bond amount. A Memo dated 31.01.2026 has also been filed by the learned counsel for the appellants to the said effect.

4. In view of the above, the present Writ Appeal is allowed and the impugned order is set aside.

5. We also clarify that the operative directions issued in the said **Writ Appeal No.312 of 2020 [EDN-RES] decided on 06.04.2026** shall also be applicable in the present appeal.

6. All pending applications are also disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

tsn*
List No.: 2 Sl No.:22.15