HC-KAR

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. 317 OF 2020 (EDN-RES)

BETWEEN:

1. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL DIVISION-IV
HEAD QUARTERS OFFICE,
PANCHADEEP BHAVAN,
CIG MARG, NEW DELHI-110 002
REPRESENTED BY ITS DIRECTOR GENERAL

2. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL COLLEGE AND PGIMSR,
BENGALURU RAJAJINAGAR, BENGALURU
NOW REPRESENTED BY ITS DEPUTY DIRECTOR,
RAJAJI NAGAR, BENGALURU-560010

…APPELLANTS

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

Digitally signed by SRIDEVI S
Location: High Court of Karnataka

AND:

1. MS SHEFA HUSSAIN
AGED ABOUT 26 YEARS
D/O AJAZ HUSSAIN
R/AT NO.40/50, KOTHANDARAMNAGAR,
D K STREET CROSS, BENGALURU-560 001

2. SMT ABHISHEK PADIL
AGED ABOUT 26 YEARS,

S/O DR SHASHIDHAR PADIL,
R/AT ISHWARA NILAYA KALMADKA,
SULLIA TD, DAKSHINA KANNADA DIST-514 212

3. SRI. NAYEEMULLA BAIG
AGED ABOUT 27 YEARS,
S/O KALEEMULLA BAIG
R/AT NO.7,1ST FLOOR,2ND CROSS
MELEKOTE MAIN ROAD,
OPP ESSRA SHADI MAHAL
TUMKUR-572 1021

4. MS POOJA M K
AGED ABOUT 25 YEARS,
D/O M S KUMAR SWAMY
R/AT NO.788/105,12TH CROSS,
RAMANUJA ROAD, MYSURU-570 004

5. MS THEJASWINI GOWDA T
AGED ABOUT 26 YEARS,
D/O DR H THIMMEGOWDA,
R/AT 229,8TH CROSS,
1ST N BLOCK, RAJAJINAGAR,
BENGALURU-560 010

6. SRI. AKSHAY H V
AGED ABOUT 26 YEARS,
S/O VIRUPAKSH H S R/AT NO.001,
SANKALPA VISHNU APARTMENTS,
JAYALAKSHMI ROAD,
CHAMARAJAPURAM,
MYSURU-570 005

7. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
105,1ST FLOOR, SECRETARIAT BUILDING,
VIKASA SOUDHA, SESHADRI ROAD,

BENGALURU-560 001
REPRESENTED BY ITS SECRETARY

8. KARNATAKA EXAMINATION AUTHORITY
SAMPIGE ROAD,18TH CROSS,
MALLESHWARAM BENGALURU-560 012
REPRESENTED BY ITS EXECUTIVE DIRECTOR

9. KARNATAKA MEDICAL COUNCIL
NO.70,2ND FLOOR, VAIDYAKEEYA BHAVANA,
K R ROAD,H.B.SAMAJA ROAD CORNER,
BASAVANAGUDI, BENGALURU-560 004
REP. BY ITS REGISTRAR

10. RAJIV GANDHI UNIVERSITY OF HEALTH AND SCIENCE
4TH T BLOCK, JAYANAGAR,
BENGALURU-560041
REPRESENTED BY ITS REGISTRAR

11. MEDICAL COUNCIL OF INDIA
POCKET 14, SECTOR 8, DWARKA, PHASE-1,
NEW DELHI-110077
REPRESENTED BY ITS SECRETARY

…RESPONDENTS

(V/O DATED 29.6.2021 WA IS DISMISSED AGAINST R2 TO 6;
R- 1,8,9 ARE SERVED AND UNREPRESENTED;
V/O DATED 30.09.2021 NOTICE TO R10 IS HELD SUFFICIENT;
SMT. NAMITHA MAHESH B.G. AGA FOR R7;
SRI N. KHETTY, ADVOCATE FOR R11)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 14.02.2020 OF THE LEARNED SINGLE JUDGE IN W.P. NO. 29874/2018 AND W.P. NOS. 29876-879/2018 ON THE FILE OF THIS

HONBLE 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 contesting respondents. None appeared for them on the previous hearing as well (hearing held on 15.4.2026).

2. For the reasons stated in the affidavit accompanying the application- IA No.1/2021, the same is allowed. The delay of 08 days in filing the appeal is condoned.

3. 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.**

4. The learned counsel for the appellants also submits that respondent Nos. 2 to 6 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.

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

6. We clarify that the operative directions issued in **Writ Appeal No.312 of 2020 decided on 06.04.2026** shall also be applicable in the present appeal.

7. All pending applications are also disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

tsn*
List No.: 2 Sl No.: 22.3