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. 326 OF 2020 (EDN-RES)

BETWEEN:

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

2. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL COLLEGE AND PGIMSR BENGALURU
RAJAJINAGAR, BENGALURU - 560 010
REP BY ITS DEPUTY DIRECTOR

...APPELLANTS

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

Digitally signed by NIRMALA DEVI
Location: HIGH COURT OF KARNATAKA

AND:

1. DR MONIKA
D/O SHIV NANDAN MAHTO
AGED ABOUT 25 YEARS,
R/AT JINDAL NAGAR,
TUMKUR ROAD, BENGALURU - 560 073.

2. DR.A.VIJETH KISHAN
S/O A.AYYAKKANNU,
AGED ABOUT 26 YEARS,
R/AT DOOR NO.2-140/13,
VARSHA, REGENT PARK LAYOUT,

HOSABETTU, MANGALURU - 575 019

3. SHARAVANA S/O BALAJI S.
AGED ABOUT 24 YEARS,
R/AT NO.14/1, 1ST CROSS,
MUNI KRISHNAPPA LAYOUT,
ADUGODI BENGALURU - 560 030.

4. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
OFFICE AT NO.105, 1ST FLOOR,
SECRETARIAT BUILDING, VIKAS SOUDHA,
SESHADRI ROAD, BENGALURU-560 001
REP BY ITS SECRETARY.

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

6. KARNATAKA MEDICAL COUNCIL
NO.70, 2ND FLOOR, VAIDYAKEEYA BHAVANA
K.R.ROAD, H.B.SAMAJA ROAD CORNOR
BASAVANAGUDI BENGALURU - 560 004.

7. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES
4TH T BLOCK, JAYANAGAR,
BENGALURU - 560 041
REP BY ITS REGISTRAR.

8. MEDICAL COUNCIL OF INDIA
POCKET 14, SECTOR 8, DWARKA
PHASE-1, NEW DELHI - 110 077
REP BY ITS SECRETARY

…RESPONDENTS

(BY SRI. I.R. BIRADAR, ADVOCATE FOR R3;
SRI. K.S. HARISH G.A., ADVOCATE FOR R4;
SMT. RATNA SHIVAYOGIMATH, ADVOCATE FOR R6;

SRI N. KHETTY ADVOCATE FOR R8;
R1,2,5 ARE SERVED AND UNREPRESENTED;
VIDE ORDER DATED 30.09.2021, NOTICE TO R7 IS HELD SUFFICIENT)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 25/02/2020 OF THE LEARNED SINGLE JUDGE IN W.P.NOS.50298/ 2019 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.

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

4. 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.

5. All pending applications are also disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

tsn*
List No.: 2 Sl No.: 22.7