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. 821 OF 2023 (EDN-RES)

BETWEEN:

1. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL DIVISION-IV,
HQRS. OFFICE, PANCHADEEP BHAVAN,
C.I.G. MARG, NEW DELHI-110 002,
REPRESENTED BY ITS DIRECTOR GENERAL

2. THE EMPLOYEES STATE INSURANCE CORPORATION
POST GRADUATE INSTITUTE OF MEDICAL SCIENCES
AND RESEARCH , BENGALURU,
RAJAJINAGAR,
BENGALURU - 560 010,
REPRESENTED BY ITS DEPUTY DIRECTOR

…APPELLANTS

Digitally signed by SRIDEVI S
Location: High Court of Karnataka

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

AND:

1. DR. VARSHETHA. U. S.
DAUGHTER OF LATE MR UMASHANKAR M.C.
AGED ABOUT 28 YEARS,
RESIDING AT NO.7 5TH CROSS,
4TH MAIN, S.R. NAGAR,
BANGALORE - 560 027

2. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE
105, 1ST FLOOR,
SECRETARIAT BUILDING,
VIKASA SOUDHAA
SESHADRI ROAD,
BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY

3. KARNATAKA EXAMINATIONS AUTHORITY
SAMPIGE ROAD,
18TH CROSS, MALLESHWARAM
BENGALURU - 560 012
REPRESENTED BY ITS DIRECTOR

4. KARNATAKA MEDICAL COUNCIL
16/6, MILLERS ROAD,
VASANTHNAGAR,
BENGALURU - 560 052,
REPRESENTED BY ITS REGISTRAR.

5. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCE
4TH T BLOCK, JAYANAGAR,
BENGALURU - 560 041,
REPRESENTED BY ITS REGISTRAR.

6. NATIONAL MEDICAL COMMISSION
(ERSTWHILE MEDICAL COUNCIL OF INDIA),
POCKET 14, SECTOR 8, DWARAKA, PHASE-1,
NEW DELHI-110 077,
REPRESENTED BY ITS SECRETARY.

…RESPONDENTS

(BY SMT. HIREMATH AKKAMAHADEVI, ADVOCATE FOR R1;
SRI. K.S. HARISH, GOVERNMENT ADVOCATE FOR R2;
SMT. RATNA N. SHIVAYOGI MATH, ADVOCATE FOR R4;

R3, R5 AND R6 ARE SERVED AND UNREPRESENTED)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 8.6.2023 OF THE LEARNED SINGLE JUDGE IN WP No.15697/2022 (EDN-RES) ON THE FILE OF THIS COURT AND DISMISS THE WRIT PETITION WITH COSTS IN THE ENDS OF JUSTICE.

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.: 22.27