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. 828 OF 2023 (EDN-RES)

BETWEEN:

1. EMPLOYEES STATE INSURANCE CORPORATION
MEDICAL DIVISION -IV HQRS. OFFICE,
PANCHADEEP BHAVAN,
C.I.G MARG,
NEW DELHI - 110002,
REPRESENTED BY ITS DIRECTOR GENERAL.

2. THE EMPLOYEES STATE INSURANCE CORPORTATION
POST GRADUATE INSTITUTE OF MEDICAL,
SCIENCES AND RESEARCH,
BENGALURU, RAJAJINAGAR,
BENGALURU - 10,
REPRESENTED BY ITS DEPUTY DIRECTOR.

Digitally signed by SRIDEVI S
Location: High Court of Karnataka

...APPELLANTS

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

AND:

1. DR. KAVYA. R
DAUGHTER OF K S RAMESH
AGED ABOUT 28,
RESIDING AT NO. 423, 14TH C CROSS,
2ND STAGE, 2ND PHASE,
WEST OF CHORD ROAD,
MAHALAKSHMIPURAM

BANGALORE - 560 086

2. 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

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

4. KARNATAKA MEDICAL COUNCIL,
NO.16/6. MILLER RANK BED AREA,
VASANTHNAGAR,
BENGALURU - 560 051.
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

SMT. NAMITHA MAHESH, AGA FOR R2

R3, R4, R5 AND R6 ARE SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 08.06.2023 OF THE LEARNED SINGLE JUDGE IN W.P.NO.10772/2022 ON THE FILE OF THIS HON'BLE 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 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.: 22.30