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. 913 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 CORPORATION
ESIC MEDICAL DENTAL AND NURSING COLLEGE
MINISTRY OF LABOR AND EMPLOYMENT
GOVT. OF INDIA RAJAJINAGAR
BENGALURU-560010
REP. BY ITS SECRETARY No.4

…APPELLANTS

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

Digitally signed by SRIDEVI S
Location: High Court of Karnataka

AND:

1. DR KIRAN S/O RAMASWAMY
AGED ABOUT 33 YEARS
R/AT NO.1-3-224
BESIDES MATHAMARI COMPLEX
N R COLONY ASHRAM ROAD
RAICHUR - 584143

2. DR VIVEK TIRALAPUR

S/O SANGAPPA AGED ABOUT 34 YEARS
RESIDING AT H V KONANAVAR
NO.446/A 8TH MAIN 7TH CROSS
HANUMANTHNAGAR BENGALURU - 560019

3. DR CHANDRU LAMANI
S/O KUBERAPPA LAMINI
AGED ABOUT 33 YEARS
RESIDING AT MAHANTESHNAGAR
1ST CROSS PAMPA CIRCLE
MUKTIMANDIR ROAD LAKSHMESHWAR
DISTRICT - GADAG - 582116

4. THE STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE
105 1ST FLOOR SECRETARIAT BUILDING
VIKASA SOUDHA BENGALURU-56001
REPRESENTED BY ITS SECRETARY

5. KARNATAKA EXAMINATION AUTHORITY
SAMPANGI ROAD 18TH CROSS
MALLESHWARAM BENGALURU-560012
REPRESENTED BY ITS EXECUTIVE DIRECTOR

6. KARNATAKA MEDICAL COUNCIL
NO 16/6, MILLER RANK BED AREA,
VASANTHNAGAR,
BENGALURU - 560051
REP BY ITS REGISTRAR

7. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES
4TH T BLOCK BENGALURU-560041
REPRESENTED BY ITS REGISTRAR

8. UNION MINISTRY OF HEALTH AND FAMILY WELFARE
GOVT. OF INDIA NEW DELHI

9. THE DIRECTOR GENERAL
HEALTH SERVICE GOVERNMENT OF INDIA
NEW DELHI

…RESPONDENTS

(BY SRI. BIRADAR IRAPPA RUDRAPPA.,ADVOCATE FOR R1 -3;
SRI K.S. HARISH GOVERNMENT ADVOCATE FOR R4;
SRI M.N.KRISHNA ADVOCATE FOR R6;
R5,7,8 AND 9 SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED THE 03.03.2021 OF THE LEARNED SINGLE JUDGE IN WP No-2391/2021 ON THE FILE OF THIS HONBLE COURT AND DISMISS THE WP WITH COSTS IN THE ENDS OF JUSTICE AND ETC.

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. For the reasons stated in the affidavit accompanying the application- IA No.1/2023, the same is allowed. The delay of 485 days in filing the appeal is condoned.

3. 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.**

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.22.31