



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT APPEAL NO.200186 OF 2024 (EDN-RES)

BETWEEN:

EMPLOYEES STATE INSURANCE CORPORATION,
MEDICAL COLLEGE AND HOSPITAL,
SEDAM ROAD, KALABURAGI-585106
REPRESENTED BY ITS DEAN.

...APPELLANT

(BY SMT. GEETA ANNARAO SAJJANSHETTY, ADVOCATE)

AND:

1. DR. MALLIKARJUN,
S/O BASAVARAJ KHANAPUR,
AGED 26 YEARS,
R/H NO.40-149, BEHIND MAREMA TEMPLE,
GULASARAM, YADGIR-585202.
2. KARNATAKA EXAMINATION AUTHORITY,
SAMPIGE ROAD, 18TH CROSS,
MALLESHWARAM, BANGALORE-560012.
3. STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
105, 1ST FLOOR, SECRETARIATE BUILDING,
VIKAS SOUDHA, SESHADRI ROAD,
BENGALURU-560001.
4. EMPLOYEES STATE INSURANCE CORPORATION,
MEDICAL DIVISION, HQRS OFFICE, PANCHDEEP
BNAHAVN,
C.I.G. MARG, NEW DELHI-110002.
REPRESENTED BY ITS DIRECTOR GENERAL.





5. KARNATAKA MEDICAL COUNCIL,
6/6, MILLER TANK BUND ROAD, VASANTH NAGAR,
BANAGALORE-560052
REPRESENTED BY ITS REGISTRAR.
6. RAJIV GANDHI UNIVERSITY
OF HEALTH AND SCIENCES, 4TH BLOCK,
JAYANAGAR, BENGALURU-560041.
REPRESENTED BY ITS REGISTRAR.
7. NATIONAL MEDICAL COMMISSION
(ERSTWHILE MEDICAL COUNCIL OF INDIA)
POCKET 14, SECTOR 8, DWARAKA,
PHASE 1, NEW DELHI-110077
REPRESENTED BY ITS SECRETARY.

...RESPONDENTS

(BY SRI. KRUPA SAGAR PATIL, ADVOCATE FOR R1;
SMT. MAYA T.R, HCGP FOR R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO SET ASIDE THE ORDER PASSED IN WRIT PETITION NO.20113/2022 DATED 15.09.2022, BY ALLOWING THE WRIT APPEAL, IN THE INTEREST OF JUSTICE, B) TO DIRECT THE RESPONDENT TO EITHER SERVE THE APPELLANT INSTITUTION FOR PERIOD OF ONE YEAR UPON COMPLETION OF HIS PG STUDIES OR PAY AN AMOUNT OF Rs.5,00,000/- (RUPEES FIVE LAKHS ONLY) IN LIEU OF HIS SERVICE AS PER THE REVISED BOND DATED CONDITIONS MEMORANDUM DATED 28.07.2020 BEARING NO.L-11/12/3/2018/CORP.CELL/MEC(PF).

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. The appellant is before this Court seeking for the following relief:-

"a) to set aside the order passed in Writ Petition No.20113/2022 dated 15.09.2022, by allowing the writ appeal, in the interest of justice,

b) To direct the respondent to either serve the appellant institution for period of one year upon completion of his PG studies or pay an amount of Rs.5,00,000/- (Rupees Five Lakhs only) in lieu of his service as per the revised bond dated conditions memorandum dated 28.07.2020 bearing No.L-11/12/3/2018/CORP.CELL/MEC(PF).

2. A similar view is taken by this Court in W.A.No.312/2020 dated 06.04.2026 and had allowed the appeal by holding as under:-

"79. In view of the above, the present appeal is allowed and the impugned order is set aside.

80. We may note that during the course of the submissions, it was pointed out that some of the petitioners may have already taken up employment elsewhere and may not be in a position to render the services. It is also contended that some of the petitioners may have acquired further qualifications and therefore, if they are called upon to render any service at ESIC hospital, it should be commensurate with their experience.

81. Those petitioners who are unable to join would necessarily be obliged to pay the reduced amount of Rs.5,00,000/- with interest. This Court is informed



that some of the petitioners have paid the bond amount. It is also open for the petitioners to approach ESIC to grant them a reasonable time to join the services, and needless to state, ESIC would consider reasonable requests sympathetically. Illustratively, if a student is midway through another course, it would be open for the student to request that the commencement of the period of compulsory service be deferred and he be given appropriate time to join the services.

82. Insofar as those petitioners who are willing to render the service (which is now confined to a period of one year), ESIC is at liberty to avail the services of those petitioners at any of the ESIC hospitals. However, ESIC would also consider placing the petitioners in positions commensurate with their experience and further qualifications.

83. The appeal is allowed in the aforesaid terms."

3. The said judgment is equally applicable to the present matter.
4. The above appeal is disposed of in terms of judgment dated 06.04.2026 in W.A.No.312/2020.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**