



CNR: KAHC010114262022

NC: 2026:KHC:47674-DB  
WA No. 263 of 2022  
C/W WA No. 757 of 2022  
WA No. 371 of 2023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU  
DATED THIS THE 1<sup>ST</sup> DAY OF SEPTEMBER, 2026  
PRESENT**

**THE HON'BLE MRS. JUSTICE ANU SIVARAMAN  
AND**

**THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA**

**WRIT APPEAL NO.263 OF 2022 (S-RES)**

**C/W**

**WRIT APPEAL NO.757 OF 2022 (S-RES)**

**& WRIT APPEAL NO.1202 OF 2022**

**& WRIT APPEAL NO.1201 OF 2022**

**WRIT APPEAL NO.371 OF 2023 (S-RES)**

**& WRIT APPEAL NOS.649-654 OF 2023**

**IN WA No. 263/2022**

**BETWEEN:**

MYSORE MEDICAL COLLEGE AND  
RESEARCH INSTITUTE  
IRWIN ROAD  
MYSORE-57001.  
REP.BY ITS DEAN AND DIRECTOR

...APPELLANT

(BY SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA





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DEPARTMENT OF HEALTH  
AND FAMILY WELFARE (MEDICAL EDUCATION)  
MULTI STORIED BUILDING  
BANGALORE-560 001  
REP. BY ADDITIONAL CHIEF SECRETARY

2. MS PALLAVI C T  
D/O LATE HANUMEGOWDA,  
AGED 35 YEARS,  
R/TNO.39,  
20TH CROSS,  
VIJAYANAGAR II STAGE,  
MYSORE-570017
3. PREMAKUMARI N  
D/O MR. NAGARAJU NAYAKA,  
AGED 40 YEARS,  
R/AT AGATHUR VILLAGE,  
KANDALIKE HOBLI,  
H.D.KOTE TALUK,  
MYSORE DISTRICT 571121
4. NAGARATHNA M  
W/O MR.BASAVANNA M.S.  
AGED ABOUT 37 YEARS,  
R/AT DR.B.R.AMBEDKAR COLONY,  
MUGURU VILLAGE,  
T.NARASIPURA TALUK,  
MYSORE DISTRICT-571124
5. MRS SUMALATHA H K  
W/O MR.CHELUVARAJU V,  
AGED ABOUT 36 YEARS  
R/AT NO.69/A,  
5TH CROSS,



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AJ BLOCK,  
N.R.MOHALLA,  
MYSORE-570007

6. ROOPAMMA  
W/O MR.VASU,  
AGED ABOUT 37 YEARS,  
R/AT NANJAPURA VILLAGE,  
MATHIGHATTA POST,  
BELUR HOBLI,  
HASSAN DISTRICT-573121
7. K T RAGHU  
S/O MR.K.L THIMMAPPA,  
AGED ABOUT 26 YEARS,  
R/AT KEDEGERE VILLAGE,  
HIRENALLUR HOBLI,  
KADUR TALUK,  
CHICKAMAGALUR DISTRICT 577550
8. VIJAYALAKSHMI K S  
D/O MR.SANNA NARASIAH,  
AGED ABOUT 31 YEARS,  
R/AT KALLAIAHNAPALYA,  
RANGAPURA POST,  
THIPTUR TALUK,  
TUMKUR DISTRICT 572201
9. SHIVANNA C  
S/O MR CHAMAI AH,  
AGED ABOUT 41 YEARS,  
R/AT HONNUR VILLAGE,  
BAVINAKATTE STREET,  
YELANDUR TALUK,  
CHAMARAJANAGARA DISTRICT 571441



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10. ASHWINI S V  
D/O MR. VENKATESH  
AGED ABOUT 37 YEARS,  
R/AT NO.142, LIG-II,  
RAMASAMUDHRA ROAD,  
KHB COLONY,  
CHAMARAJANAGARA DISTRICT 571313
11. KUMARASWAMY M  
S/O MR.K.MAHADEVIAIAH,  
AGED ABOUT 37 YEARS,  
R/AT NO.35,  
GHATTAVADIPURA,  
DODDAKOULANDE HOBLI,  
NANJAGUDU TALUK,  
MYSORE DISTRICT 571312
12. MANJULA R  
D/O MR.GOVINDARAJU,  
AGED ABOUT 29 YEARS,  
R/AT NO.1298,  
JAIAPURA VILLAGE,  
T.NARASIPURA TALUK,  
MYSORE DISTRICT 571312.
13. APARNA D  
D/O MR.DAS T,  
AGED NO.126/B,  
R/AT RAILWAY QUARTERS SOUTH,  
ASHOKAPURA,  
MYSORE-570001.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA FOR R1;  
V/O DATED 01.12.2022,



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SRI. MAHESH R UPPIN, ADV. FOR R2 TO R13;  
SRI. P.N.RAJESWARA, ADV. FOR R3 TO R12 (VK FILED))

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA  
HIGH COURT ACT, 1976, PRAYING TO SET ASIDE THE ORDER  
OF THIS COURT IN WP NO.4665/2020 DATED 22/7/2021 AND  
OTHER CONNECTED PETITIONS VIDE ANNEXURE-A.

**IN WA NO.757/2022**

**BETWEEN:**

MYSORE MEDICAL COLLEGE AND RESEARCH INSTITUTE  
IRWAN ROAD,  
MYSORE 57001  
REP. BY ITS DEAN AND DIRECTOR

...APPELLANT

(BY SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
REP. BY ADDITIONAL CHIEF SECRETARY  
DEPARATMENT OF HEALTH AND  
FAMILY WELFARE,  
(MEDICAL EDUCATION)  
MULTI STORIED BUILDING  
BENGALURU 560 001
2. MS RENUKA S  
W/O MALLESH S,



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AGED ABOUT 42 YEARS,  
R/A NO.347 B. C. COLONY  
NEAR RAMA MANDIR  
T. NARASIPURA TLAUK  
MYSURU DISTRICT,  
MYSURU 571120

3. PADMAVATHI  
W/O H R CHANDRASHEKARIAH,  
RESIDING AT NO.271,  
HULLIGEREPURA VILLAGE  
MALAGARANAHALLI POST  
MADDURU TALUK  
MANDYA DISTRICT,  
MANDYA 571428
4. ANITHA SHALINI  
D/O RAJU S  
RESIDING AT NO.2479  
3RD MAIN K G KOPPAL  
MYSORE 570008
5. RUKMINI C  
W/O RAJU G  
RESIDING AT NO.05  
K R HOSPITAL NURSES QUARTERS  
OPP. LIC,  
KRS ROAD  
YADAVAGIRI  
MYSURU 570020
6. SUMALATHA N  
W/O LINGARAJU  
RESIDING AT SUTHUR POST  
AND VILLAGE



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MYSORE - 571129

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA FOR R1;  
SRI. P.N.RAJESWARA, ADV. FOR R2 TO R6)

**IN WA NO.1202/2022**

**BETWEEN:**

MYSORE MEDICAL COLLEGE AND RESEARCH INSTITUTE  
IRWIN ROAD,  
MYSORE 57001  
REP. BY ITS DEAN AND DIRECTOR

...APPELLANT

(BY SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

**AND:**

1. MAHESHA T  
AGED ABOUT 36 YEARS  
S/O. THIBBAIAH,  
R/AT PADAGURU VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571 123
2. SARALA J  
AGE ABOUT 32 YEARS  
W/O. HARISH S,  
R/AT NO.77, NEW BUILDING,  
SHIVAYOGI MAIN ROAD,  
11TH CROSS,  
GANDHINAGAR,



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MYSORE 570007

3. SAVITHA M  
AGE ABOUT 36 YEARS  
D/O. MADAIAH,  
R/AT BEGUR HOBLI,  
HOREYALA VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571 123
4. MASTHIGOWDA M  
AGED ABOUT 33 YEARS  
S/O. PUTTA MADEGOWDA,  
R/AT NO.3160,  
HALLE KURABARA BEEDI,  
KOLEGALA TALUK,  
CHAMARAJANAGAR DIST.  
CHAMARAJANAGAR 571 109
5. CHANDRASHEKARA  
AGED ABOUT 38 YEARS  
S/O. LATE NANJEGOWDA,  
R/AT DAGANAHALLI VILLAGE,  
TIPPUR POST,  
K R NAGAR TALUK,  
MYSORE DISTRICT,  
MYSORE 571 602
6. RAVI B  
AGED ABOUT 36 YEARS  
S/O. BASAVALINGAIAH,  
R/AT NO. 5911, 2ND MAIN,  
4TH STAGE,  
VIJAYANAGAR,



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MYSORE 570017

7. MURALI N  
AGED ABOUT 35 YEARS  
S/O. NANDAKUMAR R,  
R/AT NO. 11/179,  
DEVANGA,  
1ST CROSS,  
CHAMARAJANAGAR TALUK,  
CHAMARAJANAGAR 571 313
8. SHOBHA L  
AGED ABOUT 37 YEARS  
W/O. NARASIMHAMURTHY,  
R/AT NO. 248,  
GOPALAPURA,  
WARD NO.02,  
T. NARASIMPURA TALUK,  
MYSORE 571 124
9. SAVITHA M  
AGED ABOUT 34 YEARS  
D/O. MARAIAH,  
R/AT NO. 1498,  
7TH CROSS,  
GANDHINAGAR,  
MYSORE 570007
10. USHA S  
AGED ABOUT 37 YEARS  
D/O SIDDIAH  
R/A DR. AMBEDKAR CIRCLE  
GUNDULUPET TALUK  
CHAMARAJANAGARA DISTRICT  
CHAMARAJANAGARA - 571111



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11. SUNDRAMMA C  
AGED ABOUT 34 YEARS  
D/O. CHANNA NANJUAIAH,  
R/AT ANKANASHETTY PURA  
VILLAGE AND POST,  
CHAMARAJANAGAR DIST.,  
CHAMARAJANAGAR 571 127
12. SAVITHA  
AGED ABOUT 36 YEARS  
W/O. KRISHNA,  
R/AT HARADANAHALLI POST,  
IBJALA NANJANGUDU TALUK,  
MYSORE 571 314
13. KUMARI  
AGED ABOUT 40 YEARS  
W/O. NAGARAJU,  
R/AT NO. 63,  
DAVANI BEEDI,  
HUNSUR TOWN,  
KALKUNIKE,  
MYSORE 571 105
14. SANTHOSH  
AGED ABOUT 33 YEARS  
S/O. JAWARAI AH,  
R/AT NO. 161,  
OLD POLICE STATION ROAD,  
METEGALLI,  
MYSORE 570016
15. ANANDA  
AGED ABOUT 31 YEARS



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S/O. RANGASWAMY,  
R/AT TAGARUPURA VILLAGE,  
CHILAKAVADI POST,  
KOLEGALLA TALUK,  
CHAMARAJANAGARA DIST.,  
CHAMARAJANAGAR 571 422

16. SANTOSH KUMAR B  
AGED ABOUT 33 YEARS  
S/O. BOMMAIAH,  
R/AT NO.356,  
TRIVENI NAGAR,  
WARD NO. 03,  
T. NARASIPURA TALUK,  
BYRAPUR,  
MYSORE 571 124
17. MAHESHWARI M  
AGED ABOUT 33 YEARS  
W/O. SHIVALINGA SWAMY,  
R/AT NO. 4165/3,  
9TH CROSS,  
GANDHI NAGAR,  
MYSORE 570007
18. VINOD K  
AGED ABOUT 30 YEARS  
S/O. KRISHNEGOWDA,  
R/AT ANKANAHALLI,  
SALIGRAMA HOBLI,  
KR NAGAR TALUK,  
MYSORE 571 604
19. KUMARA M  
AGED ABOUT 37 YEARS



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S/O. MAHADEVIAIAH,  
R/AT DODDARAYAPETE VILLAGE AND POST,  
CHAMARAJANAGAR DIST.,  
CHAMARAJANAGAR 571 313

...RESPONDENTS

(BY SRI. P.N.RAJESWARA, ADV.)

**IN WA NO.1201/2022**

**BETWEEN:**

MYSORE MEDICAL COLLEGE AND RESEARCH INSTITUTE  
IRWIN ROAD,  
MYSORE 57001  
REP. BY ITS DEAN AND DIRECTOR

...APPELLANT

(BY SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

**AND:**

1. CHANDRU A  
AGED ABOUT 32 YEARS  
S/O LATE ANKAIAH  
R/AT 704, AMBEDKAR COLONY  
VAJAMANGALA POST,  
VARUNA HOBLI,  
MYSURU TALUK & DISTRICT - 570028
2. P C SANTOSH KUMAR  
S/O CHIKKAHANUMAIAH  
AGED ABOUT 37 YEARS  
PADUDUR VILLAGE AND POST  
GUNDLUPET TALUK



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CHAMARAJANAGARA - 571123

3. ASHOKA  
S/O RAMEGOWDA  
AGED ABOUT 31 YEARS  
R/AT 45,  
RAMANAKOPPALU VILLAGE  
RAMANATHAPURA HOBLI,  
ARAKALGUDU TALUK  
HASSAN DISTRICT - 573133
4. MAHADEVASWAMY D  
S/O DODDA NAGA NAYAK  
AGED ABOUT 28 YEARS  
R /A 146 KULAGANA VILLAGE AND POST  
CHAMARAJANAGAR TALUK AND DISTRICT - 571109
5. YAMUNA S R  
D/O RANGANATHA SHETTY  
AGED ABOUT 26 YEARS  
R/AT 474 MAHAVEERA ROAD,  
SALIGRAMA POST,  
K R NAGAR TALUK  
MYSORE DISTRICT - 571604
6. SOWMYA H J  
D/O JAVARA NAYAKA  
AGED ABOUT 26 YEARS  
HANASOGA VILLAGE,  
CHUNCHANAKATTE HOBLI,  
K R NAGARA TALUK  
MYSURU DISTRICT - 571617
7. MANGALA V  
D/O VENAKTA RAMU



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AGED ABOUT 26 YEARS  
R/AT SIDDAIAHNAPURA VILLAGE AND POST  
KOLLEGALA TALUK  
CHAMARAJANAGAR DISTRICT - 571440

8. HARSHIYA  
D/O ZEEJURULLA  
AGED ABOUT 26 YEARS  
R/A No.384, NOOR MOHALLA KOLLEGAL TOWN  
CHAMARAJANAGAR DISTRICT - 571440
9. SANGEETHA S  
D/O RAMESH  
AGED ABOUT YEARS  
R/A NO.155 SIDDANA HUNDI  
SOSALE,  
T. NARSIPURA TALUK  
MYSURU DISTRICT - 571120
10. ZIBUNISSA K M  
W/O ZABIULLA C S  
AGED ABOUT 33 YEARS  
R/AT NO.1/3  
7TH HOSAKOTE VILLAGE  
SOMAVARAPETE TALUK  
KODAGU DISTRICT - 571237

...RESPONDENTS

(BY SRI. P.N.RAJESWARA, ADV.)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE  
KARNATAKA HIGH COURT ACT, 1976, PRAYING TO SET ASIDE  
THE ORDER OF THIS COURT IN WP No.27978-982/2020, WP



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No.25091-109/2018 AND WP No.39193-202/2019 DATED  
22.07.2021 IN THE INTEREST OF JUSTICE AND EQUITY.

**IN WA NO. 371/2023**

**BETWEEN:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF HEALTH AND FAMILY  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI STORIED BUILDING,  
BENGALURU 560001
  2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001
- ...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. MS PALLAVI C T  
D/O LATE HANUMEGOWDA,  
AGED ABOUT 38 YEARS,  
R/AT NO 39, 20TH CROSS,  
VIJAYANAGAR II STAGE,  
MYSORE 570017
2. MS PREMAKUMARI N  
D/O MR NAGARAJU NAYAKA,



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AGED ABOUT 41 YEARS,  
R/AT AGATHUR VILLAGE,  
KANDALIKE HOBLI,  
H D KOTE TALUK,  
MYSORE DISTRICT 571121

3. MRS NAGARATHNA M  
W/O MR BASAVANNA M S,  
AGED ABOUT 38 YEARS,  
R/AT DR B R AMBEDKAR COLONY,  
MUGURU VILLAGE,  
T NARASIPURA TALUK,  
MYSORE DISTRICT 571124
4. MRS SUMALATHA H K  
W/O MR CHELUVARAJU V,  
AGED ABOUT 37 YEARS,  
R/AT NO 69/A, 5TH CROSS,  
AJ BLOCK,  
N R MOHALLA,  
MYSORE 570007
5. MRS ROOPAMMA M N  
W/O MR VASU,  
AGED ABOUT 38 YEARS,  
R/AT NANJAPURA VILLAGE,  
MATHIGHATTA POST,  
BELUR HOBLI,  
HASSAN DISTRICT 573121
6. MR K T RAGHU  
S/O MR K L THIMMAPPA,  
AGED ABOUT 27 YEARS,  
R/AT KEDEGERE VILLAGE,  
HIRENALLUR HOBLI,



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KADUR TALUK,  
CHICKMAGALUR DISTRICT 577550

7. MS VIJAYALAKSHMI K S  
D/O MR SANNA NARASIAH,  
AGED ABOUT 32 YEARS,  
R/AT KALLAIAHNAPALYA,  
RANGAPURA POST,  
THIPTUR TALUK,  
TUMKUR DISTRICT 572201
8. MR SHIVANNA C  
S/O MR CHAMAI AH,  
AGED ABOUT 42 YEARS,  
R/AT HONNUR VILLAGE,  
BAVINAKATTE STREET,  
YELANDUR TALUK,  
CHAMARAJANAGARA DISTRICT 571441
9. MS ASHWINI S V  
D/O MR VENKATESH,  
AGED ABOUT 38 YEARS,  
R/AT NO 142, LIG-II,  
RAMASAMUDHRA ROAD,  
KHB COLONY,  
CHAMARAJANAGARA DISTRICT 571313
10. MR M KUMARASWAMY  
S/O MR K MAHADEVIAH,  
AGED ABOUT 40 YEARS,  
R/AT NO 35,  
GHATTAVADIPURA,  
DODDAKOULANDE HOBLI,  
NANJAGUDU TALUK,  
MYSORE DISTRICT 571312



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11. MS MANJULA R  
D/O MR GOVINDARAJU,  
AGED ABOUT 32 YEARS,  
R/AT NO 1298,  
JAIAPURA VILLAGE,  
T NARASIPURA TALUK,  
MYSORE DISTRICT 571312
12. MS APARNA D  
D/O MR DAS T  
NO 126/B, ASHOKPURAM,  
R/AT RAILWAY QUARTERS SOUTH,  
MYSORE 570001

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;

VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

**IN WA NO.649/2023**

**BETWEEN:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF HEALTH AND FAMILY  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI STORIED BUILDING,  
BENGALURU 560001
2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,



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MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. MAHESHA T  
S/O LATE THIBBAIAH,  
AGED ABOUT 39 YEARS,  
R/AT PADAGURU VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571123
2. SARALA J  
W/O HARISH S,  
AGED ABOUT 35 YEARS,  
R/AT NO.77, NEW BUILDING,  
SHIVAYOGI MAIN ROAD,  
11TH CROSS, GANDHINAGAR,  
MYSORE 570007
3. SAVITHA M  
D/O MADIAIAH,  
AGED ABOUT 39 YEARS,  
R/AT BEGUR HOBLI,  
HOREYALA VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571109
4. MASTHIGOWDA M  
S/O PUTTA MADEGOWDA,  
AGED ABOUT 36 YEARS,



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R/AT NO 3160,  
HALLE KURUBARA BEEDI,  
KOLEGALA TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571440

5. CHANDRASHEKARA  
S/O LATE NANJEGOWDA,  
AGED ABOUT 41 YEARS,  
R/AT DAGGANAHALLI VILLAGE,  
TIPPUR POST,  
K R NAGAR TALUK,  
MYSORE DISTRICT,  
MYSORE 571602
6. RAVI B  
S/O BASAVALINGAIAH,  
AGED ABOUT 39 YEARS,  
R/AT NO 5911,  
2ND MAIN,  
4TH STAGE,  
VIJAYANAGAR,  
MYSORE 570017
7. MURALI N  
S/O NANDAKUMAR R,  
AGED ABOUT 38 YEARS,  
R/AT NO 11/179,  
DAVANGA,  
1ST CROSS,  
CHAMARAJANAGAR TALUK,  
CHAMARAJANAGAR 571313
8. SHOBHA L  
W/O NARASIMHAMURTHY,



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**WA No. 371 of 2023**

AGED ABOUT 40 YEARS,  
R/AT NO 248, GOPALAPURA,  
WARD NO 02,  
T NARASIPURA TALUK,  
MYSORE 571124

9. SAVITHA M  
D/O MARAIAH,  
AGED ABOUT 37 YEARS,  
R/AT NO 1498,  
7TH CROSS,  
GANDHINAGAR,  
MYSORE 570007
10. USHA S  
D/O SIDDIAH,  
AGED ABOUT 40 YEARS,  
R/AT DR AMBEDKAR CIRCLE,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571111
11. SUNDRAMMA C  
D/O CHANNA NANJUAH,  
AGED ABOUT 37 YEARS,  
R/AT ANKANASHETTY PURA VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571127
12. SAVITHA



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W/O KRISHNA,  
AGED ABOUT 33 YEARS,  
R/AT HARADANAHALLI POST,  
IBJALA NANJANAGUDU TALUK,  
MYSORE 571314

13. KUMARI

W/O NAGARAJU,  
AGED ABOUT 43 YEARS,  
R/AT NO.63, DAVANI BEEDI,  
HUNSUR TOWN,  
KALKUNIKE,  
MYSORE 571105

14. SANTHOSH

S/O JAWARAI AH,  
AGED ABOUT 36 YEARS,  
R/AT NO 161,  
OLD POLICE STATION ROAD,  
METEGALLI, MYSORE 570016

15. ANANDA

S/O RANGASWAMY,  
AGED ABOUT 34 YEARS,  
R/AT TAGARUPURA VILLAGE,  
CHILAKAVADI POST,  
KOLEGALA POST,  
CHAMARAJANAGAR DISTRICT,  
CHAMARAJANAGAR 571442

16. SANTHOSH KUMAR B.



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S/O BOMMAIAH,  
AGED ABOUT 36 YEARS,  
R/AT NO 356,  
TRIVENI NAGAR,  
WARD NO 03,  
T NARASIPURA TALUK,  
BYRAPUR,  
MYSORE 571124

17. MAHESHWARI M  
W/O SHIVALINGA SWAMY,  
AGED ABOUT 36 YEARS,  
R/AT NO 4165/3,  
9TH CROSS,  
GANDHI NAGAR,  
MYSORE 570007

18. VINOD K  
S/O KRISHNEGOWDA,  
AGED ABOUT 33 YEARS,  
R/AT ANKANAHALLI,  
SALIGRAMA HOBLI,  
K R NAGAR TALUK,  
MYSORE 571604

19. KUMARA M  
S/O MAHADAVAIAH,  
AGED ABOUT 40 YEARS,  
R/AT DODDARAYAPETE VILLAGE AND POST,  
CHAMARAJANAGAR TALUK,  
CHAMARAJANAGAR DISTRICT,



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CHAMARAJANAGAR 571313

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;

VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

**IN WA NO.650/2023**

**BETWEEN:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,  
DEPARTMENT OF HEALTH AND FAMILY WELFARE  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI STORIED BUILDING,  
BENGALURU 560001
2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. RENUKA S  
W/O MALLESH S,  
AGED ABOUT 45 YEARS,  
R/AT NO 347, S C COLONY,  
NEAR RAMA MANDIRA,  
T NARASIPURA TALUK,



CNR: KAHC010114262022

NC: 2026:KHC:47674-DB  
WA No. 263 of 2022  
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MYSORE DISTRICT,  
MYSORE 571120

2. PADMAVATHI  
W/O H R CHANDRASHEKARAIH,  
AGED ABOUT 46 YEARS,  
R/AT NO.271,  
HULLIGEREPURA VILLAGE,  
MALAGARANAHALLI POST,  
MADDURU TALUK,  
MANDYA DISTRICT,  
MANDYA 571428
3. ANITHA SHALINI  
D/O RAJU S,  
AGED ABOUT 41 YEARS,  
R/AT NO.2479, 3<sup>RD</sup> MAIN,  
K G KOPPAL,  
MYSORE 570 008
4. RUKMINI C  
W/O RAJU G,  
AGED ABOUT 40 YEARS,  
R/AT NO.05,  
K R HOSPITAL NURSES QUARTERS,  
OPP L I C., K R S ROAD,  
YADAVAGIRI,  
MYSURU 570020
5. SUMALATHA N  
W/O LINGARAJU,  
AGED ABOUT 32 YEARS,  
R/AT SUTHUR POST AND VILLAGE,



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WA No. 371 of 2023

MYSORE 571129

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;

VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

**IN WA NO.651/2023**

**BETWEEN:**

1. THE STATE OF KARNATAKA  
DEPARTMENT OF HEALTH AND FAMILY WELFARE  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI STORIED BUILDING,  
BENGALURU 560001  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY
2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. MISS. RASHIDA BEGUM  
D/O ABIB REHAMAN  
AGED ABOUT 37 YEARS  
R/AT HEDIYALA VILLAGE  
INIRA MIALA, NANJANGUD TALUK  
MYSORE DISTRICT  
MYSORE - 571 315



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2. SMT RAJAMMA M  
W/O NAGARAJAU S,  
AGED ABOUT 44 YEARS,  
R/AT NO.384,  
AMBEDKAR LAYOUT,  
KUDERU,  
CHAMARAJANAGAR DISTRICT 571136
3. SMT MOHAN KUMARI  
W/O LATE SRIDHAR B,  
AGED ABOUT 46 YEARS,  
R/AT NO.179,  
5<sup>TH</sup> CROSS, HEBBAL,  
SBI MAIN ROAD,  
METAGAHALLI,  
MYSORE 570016
4. SMT MAHALAKSHMI  
W/O MAHADEVU,  
AGED ABOUT 30 YEARS,  
THOREMAVU VILLAGE,  
K S HUNDI POST,  
NANJANGUD TALUK,  
MYSORE DISTRICT 571301
5. SRI RAMESH KUMAR M  
S/O MAHADEVAIAH,  
AGED ABOUT 33 YEARS,  
DODDAKAVALANDE V AND P,  
NANJANGUD TALUK,  
MYSORE DISTRICT 571312
6. SRI RAMAKRISHNA M  
S/O MUNIYAPPA,  
AGED ABOUT 34 YEARS,



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NEW KURUBARA STREET,  
2ND CROSS,  
RMC MAIN ROAD,  
KOLLEGALA TOWN,  
CHAMARAJANAGAR DISTRICT - 571 440

7. SRI MADESHA P  
S/O LATE PUTTAMADAIAH,  
AGED ABOUT 38 YEARS,  
ADAHALLI VILLAGE,  
CHAKKUR POST,  
H D KOTE TALUK,  
MYSORE DISTRICT 571125
8. KUMARI MAHADEVAMMA  
D/O MADAIAH,  
AGED ABOUT 36 YEARS,  
SUTTUR VILLAGE,  
ERASAVADI POST,  
CHAMARAJANAGAR TALUK  
CHAMARAJANAGAR DISTRICT 571441
9. KUMARI JAYALAKSHMI  
D/O MAHADEVAIAH,  
AGED ABOUT 30 YEARS,  
TAGADURU VILLAGE AND POST,  
BELIGERE HOBLI,  
NANJANGUD TALUK,  
MYSORE DISTRICT 571119
10. SMT SHILPA S  
W/O MAHENDRA M T,  
AGED ABOUT 34 YEARS,  
R/AT NO.57,  
AMBEDKAR COLONY



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NEERINA BAVI,  
MUGURU,  
T NARASIPURA TALUK,  
MYSORE DISTRICT 571124

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;

VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

**IN WA NO.652/2023**

**BETWEEN:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY  
DEPARTMENT OF HEALTH AND FAMILY WELFARE  
NO.105, 1ST FLOOR,  
VIKASA SOUDHA,  
BENGALURU 560001
2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. SMT KAVITHA R  
D/O SRI RAJU,  
AGED ABOUT 39 YEARS,



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R/AT ILAPURA VILLAGE,  
NANDHINATHAPURA POST,  
KASABA HOBLI,  
PERIYAPATNA TALUK,  
MYSURU 571107

2. SMT NANDINI N  
D/O RI NARAYANA Y B,  
AGED ABOUT 36 YEARS,  
R/AT NO 62,  
SIDDIAHANAPURA,  
KOLLEGALA TALUK,  
CHAMARAJANAGAR 571440
3. SMT ANITHA N  
W/O SRI NAGARAJU M,  
AGED ABOUT 44 YEARS,  
R/AT DOOR NO 3558/B,  
2ND CROSS,  
THILAKNAGAR,  
MYSURU 570021
4. SMT SHOBHARANI L S  
W/O SRI NAGARAJU A,  
AGED ABOUT 42 YEARS,  
R/AT DEVEGOWDANA KOPPALU,  
KASABA HOBLI,  
PUTTASOMANAHALLI POST,  
PANDAVAPURA TALUK,  
MANDYA 571434
5. SMT PUSHPA S  
D/O LATE SRI SHIVAMALLU,  
AGED ABOUT 34 YEARS,  
R/AT RAMADEVARA BEEDI,



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WARD NO 17,  
BANNUR TOWN,  
T NARASIPURA TALUK,  
BANNURU RURAL DISTRICT,  
MYSURU 570007

6. SMT NETHRAVATHI M  
D/O SRI MARIAH,  
AGED ABOUT 33 YEARS,  
NO 4197/1, 7TH CROSS,  
2ND MAIN ROAD, GANDHI NAGAR,  
MYSURU 570007
7. SMT SHUBHA S  
D/O LATE SRI SRINIVAS,  
AGED ABOUT 33 YEARS,  
R/AT S K P AGRAHARA,  
SOSABE,  
T NARASIPURA TALUK,  
MYSURU 570007
8. SMT BHAGYA S  
W/O SRI K CHANDRU,  
AGED ABOUT 46 YEARS,  
R/AT SHYADANAHALLI VILLAGE,  
HARAVU POST,  
PANDAVAPURA TALUK,  
MANDYA 571427
9. SMT MAMATHA D S  
D/O SRI SHIVAIAH D,  
AGED ABOUT 36 YEARS,  
DEVARASANAHALLI VILLAGE AND POST,  
NANJUNAGUD TALUK,  
MYSURU 571301



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10. SMT ANITHA T  
D/O SRI THIMMAIAH,  
AGE 40 YEARS,  
NO 8/2, PAMPATHI ROAD, I MAIN,  
18TH CROSS,  
JAYANAGAR,  
MYSURU 570014
11. SMT DHANALAKSHMI M G  
W/O SRI MANJU,  
AGED ABOUT 36 YEARS,  
R/AT ILAPURA VILLAGE,  
KASABA HOBLI,  
PREIYAPATNA TALUK,  
MYSURU 571107
12. SMT SHRUTHI V  
W/O SRI LOKESH N,  
AGED ABOUT 32 YEARS,  
R/AT NO 83, EWS,  
R S NAIDU NAGAR,  
MYSURU 570007
13. SMT MANJULA N  
W/O SRI NANJUNDA,  
AGED ABOUT 36 YEARS,  
R/AT NO 11/2, II CROSS,  
VINAYAKANAGAR,  
MYSURU 570012
14. SMT CHAITRA B N  
D/O SRI NAGRAJU,  
AGED ABOUT 30 YEARS,  
R/AT NO 411/1,  
BESDARAVADI VILLAGE,



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MALAVALLI TALUK,  
KIRAGAVALU HOBLI AND POST,  
MANDYA 571424

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;  
VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS;  
SRI. GAURAV G.K., ADV. FOR R1, R3, R6, R7 & R9 TO R14 (VK  
FILED))

**IN WA NO.653/2023**

**BETWEEN:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY  
DEPARTMENT OF HEALTH AND FAMILY  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI-STORIED BUILDING,  
BENGALURU 560001
2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)



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**AND:**

1. SRI CHANDRU A  
S/O LATE ANKAIAH,  
AGED ABOUT 35 YEARS,  
NO 704, AMBEDKAR COLONY,  
VAJAMANGALA POST,  
VARUNA HOBLI,  
MYSURU TALUK AND DISTRICT 570028
2. P C SANTHOSH KUMAR  
S/O CHIKKAHANUMAIAH,  
AGED ABOUT 40 YEARS,  
PADUDUR VILLAGE AND POST,  
GUNDLUPET TALUK,  
CHAMARAJANAGARA 571123
3. ASHOKA  
S/O RAMEGOWDA,  
AGED ABOUT 34 YEARS,  
NO 45, RAMANAKOPPALU VILLAGE,  
RAMANATHAPURA HOBLI,  
ARAKALGUDU TALUK,  
HASSAN DISTRICT 573133
4. MAHADEVASWAMY D  
S/O DODDA NAGA NAYAK,  
AGED ABOUT 31 YEARS,



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NO 146, KULAGANA VILLAGE AND POST,  
CHAMARAJANAGAR TALUK AND DISTRICT 571109

5. YAMUNA S R  
D/O RANGANATHA SHETTY,  
AGED ABOUT 29 YEARS,  
NO 474, MAHAVEERA ROAD,  
SALIGRAMA POST,  
K R NAGAR TALUK,  
MYSORE DISTRICT 571604
6. SOWMYA H J  
D/O JAVARA NAYAKA,  
AGED ABOUT 29 YEARS  
HANASOGA VILLAGE,  
CHUNCHANAKATTE HOBLI,  
K R NAGARA TALUK  
MYSURU DISTRICT 571617
7. MANGALA V  
D/O VENKATA RAMU,  
AGED ABOUT 29 YEARS,  
R/AT SIDDAIAHNAPURA VILLAGE AND POST,  
KOLLEGALA TALUK,  
CHAMARAJANAGAR DISTRICT 571440
8. HARSHIYA  
D/O ZEEJURULLA,



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AGED ABOUT 29 YEARS,  
R/AT NO 384, NOOR MOHALLA,  
KOLLEGALA TOWN,  
CHAMARAJANAGAR DISTRICT 571440

9. SANGEETHA S R  
D/O RAMESH,  
AGED ABOUT 29 YEARS,  
R/AT NO 155,  
SIDDANA HUNDI, SOSALE T  
NARISIPURA TALUK,  
MYSURU DISTRICT 571120

10. ZIBUNNISA K M  
W/O ZABIULLA C S,  
AGED ABOUT 36 YEARS,  
R/AT NO 1/3,  
7TH HOSAKOTE VILLAGE,  
SOMAVARAPETE TALUK,  
KODAGU DISTRICT 571237

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;  
VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

**IN WA NO.654/2023**

**BETWEEN:**



CNR: KAHC010114262022

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WA No. 263 of 2022  
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WA No. 371 of 2023

1. STATE OF KARNATAKA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY  
DEPARTMENT OF HEALTH AND FAMILY  
DEPARTMENT (MEDICAL EDUCATION),  
MULTI-STORIED BUILDING,  
BENGALURU 560001

2. MYSORE MEDICAL COLLEGE AND RESEARCH  
INSTITUTE  
REPRESENTED BY ITS DEAN AND DIRECTOR,  
IRWIN ROAD,  
MYSORE 570001

...APPELLANTS

(BY SRI. VIKAS ROJIPURA, AGA)

**AND:**

1. MISS PAVITHRA B  
D/O BASAVANNA,  
AGED ABOUT 29 YEARS,  
R/AT BHAGAYYANA HUNDI,  
GUNDLUPET,  
CHAMARAJANAGAR 571111
2. SMT VEENA SHREE C  
W/O SUNDARAMURTHY L,  
AGED ABOUT 35 YEARS,  
RESIDENT HOSA ANGALLI, KOLELGALA,



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WA No. 371 of 2023**

CHAMARAJANAGAR 571136

3. MISS SHASHIKALA  
D/O CHIKKASWAMIAH,  
AGED ABOUT 29 YEARS,  
RESIDENT OF TAMMADAHALLY,  
CHAMARAJANAGAR 571128

4. MISS LATHA N  
D/O NAGARAJEGOWDA,  
RESIDING AT C-15,  
LOKKERE VILLAGE,  
HONGALA HOBLI,  
GUNDLUPETE TALUK,  
CHAMARAJANAGAR 571301

...RESPONDENTS

(BY SRI. MAHESH R. UPPIN, ADV.;  
VCO DTD:31.05.2023, ACCEPTS NOTICE FOR RESPONDENTS)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO SET ASIDE THE ORDER DATED 22.07.2021 PASSED BY THE LEARNED SINGLE JUDGE OF THIS COURT IN WRIT PETITION NO.4665/2020 C/W W.P.NOS.25091/2018, 27978/2018, 31635/2019, 31698/2019, 39193/2019 AND W.P.6361/2021 (S-RES).

THESE APPEALS, COMING ON FOR HEARING INTERLOCUTORY APPLICATION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



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CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN  
and  
HON'BLE MR. JUSTICE T.P.VIVEKANANDA

**ORAL JUDGMENT**

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

WA No.263/2022 and WA No.757/2022 are the appeals preferred by the Mysore Medical College and Research Institute, Mysore, as against the common judgment of the learned Single Judge dated 22.07.2021 passed in W.P.No.4665/2020 and connected cases. W.A.No.371/2023 is filed by the State of Karnataka against the very same judgment.

2. We have heard the learned counsel appearing for the appellant in the first two writ appeals as well as the learned Additional Government Advocate appearing for the appellant in WA No.371/2023 as well as the learned counsel appearing for the private respondents, who were the petitioners in the writ petitions.

3. Learned counsel appearing for the appellant in the first two writ appeals contends that the private respondents



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who had filed the writ petitions were only stipendiary nurses engaged by the Institute for six months as part of their training and that the judgment rendered by the learned Single Judge directing their continuance as well as payment of regular wages to them was completely misconceived. It is contended that the prayer made in the writ petitions was for a mandamus to consider their representations not to terminate their services as stipendiary nurses and to renew their services from time to time as also to grant equal pay for equal work rendered by them.

4. It is contended by the learned counsel for the appellant that the learned Single Judge had relied on a Government Order dated 26.02.2019 and has held that the stipendiary nurses who were engaged as trainees are also entitled to minimum wages as provided in the said Government Order. It is contended that the Government Order dated 26.02.2019 did not have any reference whatsoever to stipendiary nurses and the said order specifically provided for payment of equal wages only to contractual employees, who had been engaged by the Institute. It is submitted that since



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there was no provision in the Government Order dated 26.02.2019 to pay the wages as provided therein to stipendiary nurses, the reliance on the said Government Order was completely misconceived.

5. It is further submitted that the Government, by the order dated 27.07.2020, had specifically fixed an amount of Rs.12,445/- as monthly payment for stipendiary nurses. It is submitted that thereafter the said amount has been increased to Rs.15,556/- by the Government Order dated 20.05.2026. It is submitted that this was the amount that the stipendiary nurses would be entitled to and the said amount was being paid to them.

6. It is further contended that the direction issued by the learned Single Judge that the writ petitioners are liable to be paid wages in terms of the Government Order dated 26.02.2019 is misconceived and that the further direction that the stipendiary nurses cannot be replaced by another set of contract employees is also not sustainable. It is submitted that since the stipendiary nurses are engaged only as trainees, they are not entitled to the regular pay scale or even to minimum



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wages and that their services are also liable to be dispensed after the training is complete.

7. Learned Additional Government Advocate appearing for the appellant in WA No.371/2023 would also submit that from the documents on record, it would appear that the initial engagement of the writ petitioners was on stipendiary basis. It is submitted that the Government Order dated 26.02.2019 specifically addressed the problem of contract appointments in Autonomous Institutions and submits that the benefit of the said Government Order could not be extended to stipendiary nurses. Further, it is submitted that the stipendiary nurses are not entitled to continuance in service and that they cannot hold the posts which are intended to be filled up by regular appointments.

8. Learned Government Advocate would also point out that the direction issued by the learned Single Judge to continue the services of the stipendiary nurses beyond the period for which they were appointed would defeat the rights of the Institutions to train stipendiary nurses for short periods of



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time and will result in injustice to nursing students, who relied on such Institutions to complete their training.

9. Learned counsel appearing for the respondents would on the other hand point out that the writ petitions had been filed in the year 2018-19 and 2020-21 and had been pending for a reasonable long period of time. It is submitted that the judgment under appeal was rendered on 22.07.2021. The State as well as the Autonomous Institute, which were the respondents in the writ petitions, had not placed any statement of objections on record before the learned Single Judge. It is submitted that the documents produced along with the writ petitions clearly indicated that the stipendiary nurses were those engaged from 2009 onwards and they were still in service in the year 2019. It is submitted that the experience certificates issued by the Institute showing that certain persons had been engaged in 2013 and were still in service in 2018-19 had also been placed on record before the learned Single Judge. It is submitted that it is on account of the materials placed on record before the learned Single Judge, including Annexure-G, which is a communication dated 03.10.2017



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issued by the Institute that the learned Single Judge came to the conclusion on facts that the writ petitioners were not stipendiary nurses but were temporary employees or contractual employees at best.

10. It is submitted that the factual situation that the Institute was utilising the services of the stipendiary nurses for years together had been taken into account and the necessity for the engagement of nurses for carrying out of the essential functions of the Institute was also specifically taken note of by the learned Single Judge. It was on the basis of the documents produced that the learned Single Judge came to the factual conclusion that the engagements were actually engagements as against the required cadre strength on contract basis or on temporary basis and were not stipendiary engagements at all. It is submitted that it was on the materials placed on record that these findings were rendered by the learned Single Judge. There is still no material placed on record in either of the appeals, which would controvert the said findings of the learned Single Judge. In the circumstances, it is submitted that there is absolutely no error in the findings rendered by the learned



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Single Judge and that the appeals are therefore liable to be dismissed.

11. We have considered the contentions advanced on all sides. We notice that the writ petitioners had specifically pleaded that they were fully qualified nurses who had been engaged by the appellant- Institute on several dates from 2009 onwards. Documents had also been placed on record showing that they were fully qualified nurses having diploma in General Nursing and Midwifery ('GNM' for short) and that they had completed their GNM courses on several dates from 2007 onwards. There were orders of appointment bearing different dates, which were also produced along with the writ petitions. Further, the copies of Certificates issued by the Institute showing that some of the writ petitioners had been working for long period sometimes more than 5 years had also been placed on record before the learned Single Judge.

12. Having considered the contentions advanced, the learned Single Judge came to the conclusion that the nomenclature of "stipendiary nurses" given to the writ petitioners was misleading and that what was actually done



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was an exploitation of their services for long years on a contract basis or on temporary basis. It was also found that the Government having considered the demands of staff nurses working on contract or stipendiary basis in all the autonomous teaching Hospitals in the State, had issued the Government Order dated 26.02.2019, which provided for payment of equal wages for the equal work extracted from persons like the writ petitioners. It was found by the learned Single Judge that since the services of the writ petitioners was also being utilised full time, they were also entitled to payment of wages as provided in the Government Order dated 26.02.2019, even if they are called stipendiary nurses.

13. The learned Single Judge had also relied on the judgment of the Apex Court in ***The State of Punjab & Others v. Jagjit Singh & Others***<sup>1</sup>, wherein the Apex Court had clearly held that, even if the appointments are made on temporary basis or on contract basis, the person so employed could not be denied equal pay for equal work and that the contract

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<sup>1</sup> (2017) 1 SCC 148



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employees would also be entitled to such wages on par with regular employees, who are made to do the same work.

14. The learned Single Judge had also relied on the decision of the Apex Court in ***State of Haryana & Others v. Piara Singh & Others***<sup>2</sup> as also the interdictions in ***State of Karnataka v. Umadevi***<sup>3</sup> and had come to the conclusion that till regular appointment is made, the stipendiary nurses who are carrying out all the duties of the staff nurses in the Institute are entitled to continue in service.

15. Having considered the contentions advanced on all sides, we are of the opinion that the essential directions issued by the learned Single Judge do not require any interference. However, it is made clear that since the writ petitioners are working as against the regular posts of staff nurses which are required for the manning and the running of the Hospital, the Hospital would be free to make appointments of stipendiary nurses for the limited period of their training, in case such appointments are required to be made and the directions

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<sup>2</sup> (1992) 4 SCC 118

<sup>3</sup> (2006) 4 SCC 1



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issued by the learned Single Judge will not stand in the way of such short stipendiary engagements being made as trainees in the Hospital. Further, it is made clear that a regular recruitment process on the basis of the Cadre and Recruitment Rules for Staff Nurses shall be carried out at the earliest, without undue delay and when such regular recruitments are being made, the writ petitioners who have been engaged on contract basis shall also be considered for such recruitment in accordance with law, after giving them the benefit of age relaxation in terms of the service that has been rendered by them in the Institution.

16. With the above said modifications, the writ appeals are ***disposed of***.

Pending applications, if any, also stand disposed of.

**Sd/-**  
**(ANU SIVARAMAN)**  
**JUDGE**

**Sd/-**  
**(T.P.VIVEKANANDA)**  
**JUDGE**

PN