

SANJ

28.4.2016

W.P.NOS.25391-25393/2016 C/W  
25453-25455/2016, 25458-25459/2016  
& 25460/2016 (EDN-RES)

ORDER

Sri I. Tharanath Poojary, learned AGA is directed to take notice for respondent Nos. 1 to 4. Sri N.K. Ramesh, learned Counsel is directed to take notice for respondent No. 5. Sri N. Khetty, learned Counsel is directed to take notice for respondent No. 6. Sri D.S. Hosmath, learned Counsel is directed to take notice for respondent No. 7.

2. These writ petitions have been filed challenging the constitutional validity of the Karnataka Compulsory Service Training by Candidates Completed Medical Courses Act, 2012, namely, Karnataka Act 26 of 2015 (for short 'the Act').



3. This Court in W.P.No.40566/2015 and other connected cases has stayed the operation of the impugned Act and also all further proceedings, orders, action, notifications, including the Rules etc., pursuant to the said Act by order dated 6.10.2015. The concerned Universities have been directed to issue appropriate degrees and the Karnataka Medical Council has been directed to grant registration certificates to the respective petitioner-students, if they are otherwise eligible and the grant of degrees and the registrations are made subject to the result of the writ petitions. The petitioner-students have been directed to file an affidavit undertaking to the effect that in the event of their failure in the writ petitions, they shall comply with the provisions of the impugned Act.

4. This Court has noticed that large number of writ petitions are being filed by the students, who are about to complete/completed their MBBS/PG/Super Speciality courses



in medicine seeking reliefs as has been sought in  
W.P.No.40566/2015 and other connected matters. It is  
unnecessary for them to approach this Court for similar reliefs  
because the impugned Act has been stayed. All further  
proceedings, orders, action, notifications including the Rules,  
etc., pursuant to the impugned Act have also been stayed.  
Therefore, there is no impediment for the Universities  
concerned for the grant of degrees to the said students, subject  
to the result of the aforesaid writ petitions. The  
Universities concerned are directed to issue appropriate degrees  
to the concerned eligible students/Doctors including the  
petitioners herein, if they are otherwise eligible. However, when  
the eligible Doctors including the petitioners herein approach  
the Karnataka Medical Council for registration, they shall file an  
affidavit before the Council that they will abide by the order,  
which may be passed in W.P.No.40566/2015 and other



connected matters. Registration by the Council shall be granted  
only after filing an affidavit as above.

5. However, there is no bar for the Doctors, who  
voluntarily join one year rural service training. Such Doctors  
shall be given allowances and all other benefits in accordance  
with the impugned Act and the Rules/notifications/orders made  
thereunder.

Post these cases along with W.P.No.40566/2015 and  
other connected matters.

**COPT**

*[Signature]*  
Assistant Registrar  
High Court of Karnataka  
Bengaluru 560 001

6/5/16

