



CNR: KAHC010130332020

NC: 2026:KHC:48153
MFA No. 4294 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 4294 OF 2020 (CPC)

BETWEEN:

1. MUNIDASAPPA
AGED 64 YEARS
S/O LATE APPAGA
R/AT KEMPATHIMMANAHALLI VILLAGE
KUNDANA HOBLI,
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT - 562110

...APPELLANT

(BY SRI. PUNDIKAI ISHWARA BHAT.,ADVOCATE)

AND:

1. P YASHODHA
AGE 70 YEARS
W/O RAMANJANI
R/AT NO.1009, 1ST CROSS,
BEHIND P AND T COLONY, R T NAGAR POST
BENGALURU - 560032
2. SRI B CHANNARAYAPPA
AGE 74 YEARS
S/O LATE BACHAPPA
R/AT KEMPATHIMMANAHALLI VILLAGE,


Digitally signed
by
GAVRIBIDANUR
SUBRAMANYA
GUPTA
SREENATH
Location: HIGH
COURT OF
KARNATAKA



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KUNDANA HOBLI,
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT - 562110

...RESPONDENTS

(BY SRI.RAKSHITH.K.N., ADVOCATE FOR C/R1)

THIS MFA IS FILED U/O. 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED. 28.01.2020, PASSED ON IA.NO.1 IN O.S. NO.617/2018, ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC., DEVANAHALLI, ALLOWING THE IA. NO.1, FILED U/O.39 RULE 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

This appeal filed before this Court is not maintainable in view of Section 19(1) of the Karnataka Civil Courts Act, 1964 and the judgment rendered by the Division Bench of this Court in **Smt. Narayanamma -vs- The State of Karnataka** in Writ Petition No.17588 of 2024 (GM-RES) c/w Writ Appeal No.200260 of 2025 (GM-RES) dated 8th



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July, 2026, which is affirmed by the Hon'ble Supreme Court in SLP(c) No.025075/2026 dated 3.8.2026.

2. In view of the above, this Court deems it appropriate to transfer this matter to the concerned District Court for adjudication of the matter from the stage where it is stopped.

3. Accordingly, I pass the following:

ORDER

- i) The appeal stands **disposed of** for statistical purposes.
- ii) Registry is directed to transfer the entire record of the case, to the concerned Principal District & Sessions Judge, who may assign it to the concerned Appellate Court having jurisdiction.



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- iii) In case there are pending applications, the same also be transferred to be considered by the learned Judge of the concerned Appellate Court, in accordance with law.
- iv) It is made clear that this Court has not made any observation as to the merits of the case and all rights and contentions of the parties are left open to be agitated before the concerned Appellate Court.
- v) Learned counsel for appellant and learned counsel for the respondents are present. Hence, the parties shall appear before the learned District Judge on 25.09.2026 without awaiting further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 5