



CNR: KAHC010136382026

NC: 2026:KHC:45924
MFA No. 1441 of 2026
C/W MFA No. 1442 of 2026
MFA No. 1448 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1441 OF 2026

(CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 1442 OF 2026

MISCELLANEOUS FIRST APPEAL NO. 1448 OF 2026

IN MFA No. 1441/2026

BETWEEN:

SRI SUDANANDA B H
S/O LATE.B.C.HANUMANTHARAYAPPA,
AGED ABOUT 44 YEARS,
R/AT NO.191, 4TH CROSS, II MAIN,
TALACAUVERI LAYOUT,
SAHAKARANAGAR POST,
BENGALURU -560 092.

...APPELLANT

(BY SRI. MURALIDARA R.,ADVOCATE)

AND:

1. SRI P.V.DIVAKAR
S/O MR.P VENKATALAKSHMAIAH,
AGED ABOUT 47 YEARS,
RESIDING AT NO.18, 6TH A CROSS,
II MAIN ROAD, SIR.M V LAYOUT,

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



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THINDLU,
BENGALURU-560 092.

2. SRI. ANURADHA B
W/O MR.P V DIVAKAR
AGED ABOUT 42 YEARS,
RESIDING AT NO.18, 6TH A CROSS,
II MAIN ROAD, SIR.M V LAYOUT, THINDLU,
BENGALURU-560092

...RESPONDENTS

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT.12.01.2026 PASSED ON IA NO.1 IN
O.S.NO.246/2025 ON THE FILE OF THE I ADDITIONAL SENIOR
CIVIL JUDGE AND JMFC AT DEVANAHALLI, ALLOWING THE IA
NO.1 FILED U/O.39 RULE 1 AND 2 R/W SEC.151 OF CPC, 1908.

IN MFA NO. 1442/2026

BETWEEN:

1. SRI SUDANANDA B.H
S/O LATE. B.C.HANUMANTHARAYAPPA,
AGED ABOUT 44 YEARS,
R/AT NO.191, 4TH CROSS, II MAIN,
TALACAUVERI LAYOUT, SAHAKARANAGAR POST,
BENGALURU -560092

...APPELLANT

(BY SRI. MURALIDARA R., ADVOCATE)

AND:

DR RAJASHEKAR B
S/O SRI. LAXMAIA BOGADI
AGED ABOUT 47 YEARS,
RESIDING AT NO.296, IST FLOOR,
PHASE-III, GREEN BAWARCHI RESTAURANT,
KAMALAPURI COLONY,
YALLAREDDYGUDA, HYDERABAD



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TELANGANA-560 073,
RERESETED BY HIS SPECIAL POWER OF ATTORNEY
HOLDERS

1. SRI.P V DIVAKAR
S/O MR.P VENKATALAKSHMAIAH,
AGED ABOUT 47 YEARS,
2. SRI. ANURADHA B
W/O MR.P V DIVAKAR,
AGED ABOUT 42 YEARS,
RESIDING AT NO.18, 6TH A CROSS,
II MAIN ROAD, SIR.M V LAYOUT, THINDLU,
BENGALURU-560 092.

...RESPONDENTS

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT.12/01/2026 PASSED ON IA NO.1
IN O.S.NO.247/2025 ON THE FILE OF THE I ADDITIONAL
SENIOR CIVIL JUDGE AND JMGC DEVANAHALLI,
ALLOWING THE IA NO.1 FILED U/O.39 RULE 1 AND 2 R/W
SEC.151 OF CPC, 1908.

IN MFA NO. 1448/2026

BETWEEN:

1. SRI SUDANANDA B H
S/O LATE B.C. HANUMANTHARAYAPPA,
AGED ABOUT 44 YEARS,
R/AT NO. 191, 4TH CROSS,
II MAIN, TALACAUVERI LAYOUT,
SAHAKARANAGAR POST,
BENGALURU - 560 092.

...APPELLANT

(BY SRI. MURALIDARA R.,ADVOCATE)

AND:

1. SRI P DIVAKAR
S/O MR. P VENKATALAKSHMAIAH,



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AGED ABOUT 47 YEARS,
RESIDING AT NO.18, 6TH A CROSS,
II MAIN ROAD, SIR M.V LAYOUT, THINDLU,
BENGALURU - 560092.

2. SRI ANURADHA B
W/O MR. P V DIVAKAR
AGED ABOUT 42 YEARS,
RESIDING AT NO. 18, 6TH A CROSS,
II MAIN ROAD, SIR M V LAYOUT, THINDLU,
BENGALURU - 560 092.

...RESPONDENTS

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 12.01.2026 PASSED ON
I.A.NO.1 IN OS.NO. 244/2025 ON THE FILE OF THE I
ADDITIONAL SENIOR CIVIL JUDGE AND JMFC,
DEVANAHALLI, ALLOWING THE I.A.NO.1 FILED UNDER
ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF
CPC.

THESE APPEALS, COMING ON FOR ADMISSION, THIS
DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These appeals 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-**



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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 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 these matters to the concerned District Court for adjudication of the matters from the stage where it is stopped.

3. Accordingly, I pass the following:

ORDER

- i) Appeals stands **disposed of** for statistical purposes.
- ii) Registry is directed to transfer the entire record of the cases, 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 cases and all rights and contentions of the parties are left open to be agitated before the concerned Appellate Court.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 33