



CNR: KAHC010353162025

NC: 2026:KHC:50011
MFA No. 3820 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3820 OF 2025 (CPC)

BETWEEN:

1. SRI MUNIRAJU M
S/O MUNIYAPPA @HALU MUNIYAPPA
AGED ABOUT 65 YEARS,
2. SRI. RAMACHANDRA
S/O MUNIYAPPA @ HALU MUNIYAPPA
AGED ABOUT 59 YEARS,
3. SRI. B.M. KRISHNAPPA
S/O MUNIVENKATAPPA,
AGED ABOUT 60 YEARS,
4. SRI. MUKUNDA
S/O LATE NARAYANAPPA,
AGED ABOUT 45 YEARS,
5. SRI. SRINIVAS
S/O LATE NARAYANAPPA,
AGED ABOUT 53 YEARS,
6. SRI. VENKATESH
S/O LATE NARAYANAPPA,
AGED ABOUT 50 YEARS,

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



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

7. SMT. MANJULA
W/O. LATE B. K. SHIVANNA,
AGED ABOUT 50 YEARS,
8. SRI. CHETHAN
S/O B. K. SHIVANNA,
AGED ABOUT 29 YEARS,
9. SRI. VENU @ VENKATE GOWDA
S/O LATE B. K. SHIVANNA,
AGED ABOUT 27 YEARS,
10. SRI. MUNIRAMAPPA @ MUNIRAMAIAH
S/O. LATE VENKATARAYAPPA,
AGED ABOUT 86 YEARS,
11. SMT. SAROJAMMA
D/O. MUNIVENKATAPPA,
AGED ABOUT 62 YEARS,
12. SRI. B. M. VENKATESH
S/O MUNIRAMAPPA,
AGED ABOUT 58 YEARS,

ALL ARE R/AT. BOILAHALLI VILLAGE,
BK HALLI POST,
JALA HOBLI,
BENGALURU NORTH TALUK
PIN-562149

...APPELLANTS

(BY SRI. N. THIMMEGOWDA, ADVOCATE)



CNR: KAHC010353162025

NC: 2026:KHC:50011
MFA No. 3820 of 2025

AND:

1. SRI VENKATASHAMAPPA
S/O LATE CHIKKAPAPAIAH
AGED ABOUT 74 YEARS

2. SRI. SUBANNA
S/O LATE CHIKKAPAPAIAH
AGED ABOUT 72 YEARS

3. SMT. BYRAMMA
W/O. NAGARAJU,
D/O LATE CHIKKAPAPAIAH
AGED ABOUT 53 YEARS

RESPONDENTS NO.1 TO 3 ARE
R/AT. BOILAHALLI VILLAGE,
BK HALLI POST,
JALA HOBLI,
BENGALURU NORTH TALUK
PIN - 562 149

4. SMT. PARVATHAMMA
W/O. VENKATESHAPPA
D/O LATE CHIKKAPAPAIAH
AGED ABOUT 66 YEARS
R/AT NERIGE VILLAGE,
SARJAPURA HOBLI,
ANEKAL TALUK,
BANGALORE URBAN DISTRICT
PIN - 562 125

5. SRI. VENKATEGOWDA,
S/O MUNIYAPPA @ HALU MUNIYAPPA,
AGED ABOUT 58 YEARS,



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

6. SMT. VARALAKSHMI @ PUTTAMMA
D/O LATE NARAYANAPPA,
W/O MUNIYAPPA,
AGED ABOUT 51 YEARS
R/AT HULAVANAHALLI VILLAGE,
BUDIKOTE HOBLI,
BANGARPET TALUK,
KOLARA DISTRICT.
7. SMT. SURYAKALA @ AMMAYAMMA,
W/O NAGARAJU,
D/O LATE NARAYANAPPA,
AGED ABOUT 46 YEARS,
R/AT KAMANDAHALLI VILLAGE
MAVANDAHALLI POST,
BANGARPET HOBLI,
KOLARA DISTRICT
8. SRI. UMESH,
S/O LATE NARAYANAPPA,
AGED ABOUT 47 YEARS,
9. SMT. SHASHIKALA,
D/O LATE NARAYANAPPA,
W/O RAVI KUMAR,
AGE ABOUT 42 YEARS,
10. SMT. RAJAMMA
W/O KRISHNAPPA
D/O LATE KRISHNAPPA.
AGED ABOUT 64 YEARS
R/AT HALUR DUDDANAHALLI VILLAGE.
KUNDANA HOBLI,
DEVANHALLI TALUK,
BANGALORE RURAL DISTRICT



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

11. SMT. ASWATHAMMA
W/O RAJANNA,
D/O LATE KRISHNAPPA
AGED ABOUT 62 YEARS
R/AT. YARAOUNAHALLI VILLAGE,
KASABA HOBLI,
ANESHWARA POST
DEVANAHALLI TALUK.
BANGALORE RURAL DISTRICT
12. SMT. NARYANAMMA @ NAGAVANI
W/O NARAYANAWAMY.
D/O LATE KRISHNAPPA
AGED ABOUT 55 YEARS
R/AT RAMANATHAPURA
KUNDANA HOBLI
KOIRA POST
DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT
13. SMT. B.J. SHIV ARAJAMMA @ SHIVAMMA,
D/O LATE GOVINDAPPA,
S/O. LATE KEMPANNA
W/O VENKATESHAPPA,
AGED ABOUT 56 YEARS,
R/AT SHANACHANDRA,
CHANATHUR POST,
HOSUR TALUK,
KRISHNAGIRI DISTRICT,
PIN - 635 109
14. SMT. NAGAMMA,
W/O LATE GOPALAPPA,
S/O LATE KEMPANNA
AGED ABOUT 69 YEARS



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

15. SRI. LAKSHMANA,
S/O LATE GOPALAPPA,
S/O. LATE KEMPANNA
AGED ABOUT 46 YEARS,
16. SRI. DEVARAJU
S/O LATE GOPALAPPA,
S/O. LATE KEMPANNA
AGED ABOUT 44 YEARS,
17. SRI. RAJAKUMAR
S/O LATE GOPALAPPA,
S/O. LATE KEMPANNA
AGED ABOUT 42 YEARS,
18. SRI. CHIKKANNA
S/O LATE KEMPANNA,
AGED ABOUT 76 YEARS,
19. SMT. RAJAMMA
D/O CHIKKANNA,
AGED ABOUT 46 YEARS,
R/AT. THIMMANAYAKANAHALLI VILLAGE,
KASABA HOBLI
MALUR TALUK
KOLARA DISTRICT.
20. SRI. NARAYANASWAMY
S/O CHIKKANNA,
AGED ABOUT 46 YEARS
21. SMT.SOWBAGYAMMA,
D/O CHIKKANNA,
AGED ABOUT 40 YEARS,



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

22. SRI. SHIVAKUMAR,
S/O.CHIKANNA
AGED ABOUT 34 YEARS
23. SRI.VENKATESH.
S/O CHIKKANNA,
AGED ABOUT 30 YEARS
24. SRI. KRISHNAPPA
S/O LATE KEMPANNA,
AGED ABOUT 73 YEARS
25. SMT. RAMAKKA
D/O LATE KEMPANNA,
W/O. KARAGAPPA,
AGED ABOUT 70 YEARS
26. SRI. CHIKKA VENKATASHAMAPPA,
S/O LATE MUNIVENKATARAMANAPPA,
AGED ABOUT 80 YEARS
27. SRI. RAMESH
S/O. CHIKKA VENKATASHAMAPPA
AGED ABOUT 49 YEARS
28. SRI. DODDA VENKATASHAMAPPA
S/O LATE MUNISHAMAPPA,
AGED ABOUT 81 YEARS
29. SRI. MINIRAJU
AGED ABOUT 52 YEARS
S/O. DODDA VENKATASHAMAPPA
30. SRI. MUNIRAJU
S/O. LATE MUNISHAMAPPA
AGED ABOUT 65 YEARS



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

RESPONDENTS NO.14 TO 18 AND 20 TO 30 ARE
R/AT BOILAHALLI VILLAGE,
B.K.HALLI POST, JALA HOBLI,
BENGALURU NORTH TALUK
PIN - 562 149

31. SMT. PUTTAMMA
W/O CHINNAPPA,
D/O CHIKKAPAPAIHAH,
AGED ABOUT 70 YEARS,
R/AT NERIGE, KURUGU POST,
SARJAPURA HOBLI.
ANEKAL TALUK.
32. SMT. HANUMAKKA,
D/O RANGAPPA,
AGED ABOUT 65 YEARS,
R/AT BOILAHALLI VILLAGE,
B.K.HALLI POST, JALA HOBLI,
BENGALURU NORTH TALUK,
PIN - 562 149.
33. SMT. LAKSHMI,
W/O NAGARAJ,
AGED ABOUT 52 YEARS,
R/AT 28/1, 2ND CROSS,
HANUMATHAPURA.
SRIRAMAPURA,
BENGALURU - 560 021.
34. SMT. SWARNA,
W/O LATE SRINIVAS,
AGED ABOUT 61 YEARS,



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

35. SRI. S. VIJAY,
S/O LATE SRINIVAS,
AGED ABOUT 44 YEARS
SL.NO.34 AND 35 ARE
RESIDING AT NO. 151,
LIG 707, 4TH PHASE,
YALAHANKA NEW TOWN,
BENGALURU - 64.
36. SRI. B.P. CHEDANANDA SWAMY,
S/O B. PUTTAPPA,
AGED ABOUT 66 YEARS,
R/AT 5/B, MINCHIYAR COMPOUND,
SAPTHAPUR, DARAWADA.
37. SRI. KANTHARAJU,
S/O LATE NARAYANAPPA,
AGED ABOUT 55 YEARS
R/AT NO.210, BEHIND MPCs MILK DAIRY,
CHIKKAJALA VILLAGE, JALA HOBLI,
BENGALURU NORTH TALUK.
38. SRI. SRINIVASA,
S/O MUNIRAMAIAH,
AGED ABOUT 78 YEARS,
R/AT DODDABOMMASANDRA,
VIDYARANYAPURA POST,
BENGALURU - 560 097.
39. SRI. C. VENKATACHALAPATHI,
S/O LATE CHINNAPPA,
AGED ABOUT 44 YEARS,
R/AT NO.77, 4TH CROSS,
OMBR LAYOUT, BANASAVADI,
BENGALURU - 560 043.



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

40. M/S J.B, AND HARA PROPERTIES,
REP BY ITS PARTNERS,
B.S.N. HARI AND RAJESH N.JOSHI,
OFFICE AT NO.4609, 6TH FLOOR,
HIGH POINT IV, 45 PALACE ROAD,
BENGALURU - 560 001.
41. M/S GREATER BANGALORE BUILDERS AND
DEVELOPERS PVT LTD,
OFFICE AT NO.4923,
11TH FOOR, HIGH POINT IV,
45TH PALACE ROAD,
BENGALURU - 560 001,
REP BY ITS DIRECTOR
MR.RAJESH N. JOSHI,
42. MR. JITHENDRA NANDWANI,
AGED ABOUT 46 YEARS,
S/O MR. TEKCHAND NANDWANI,
R/AT NO.3/55, VIDHYADHAR NAGAR,
JAIPUR - 302 012,
RAJASTAN STATE,
43. MR. ISWHWARLAL NANDWANI,
AGED ABOUT 61 YEARS,
S/O MR.TEKCHAND NANDWANI,
R/AT NO.3/55, VIDHYADHAR NAGAR,
JAIPUR - 302 012,
RAJASTAN STATE
44. MR.AJAZ PASHA,
S/O MOHAMMED GHOUSE,
AGED ABOUT 49 YEARS,
R/AT NO.8, 8TH A CROSS,



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

KEMPAIAH BLOCK,
MUBARAK MOHALLA,
J.C.NAGAR,
BENGALURU - 560 006.

45. SIR. A. VASUDEAV,
S/O H. ANJINAPPA,
MEJOR
R/AT NAGAVARA VILLAGE,
K.R. HOBLI,
BANGALORE EAST TALUK.
PIN - 560 045

46. SMT. LILAVATHI,
W/O LATE B.N. SATYANNA,
AGED ABOUT 90 YEARS,
R/AT NO.4609, 6H FLOOR,
HIGH POINT IV,
45 PALACE ROAD,
BENGALURU - 560 001.

47. SRI. JAYANTH PURUSHATTAM NAVADKAR,
S/O LATE PURUSHOTHAM NANODKAR,
MAJOR,

48. SMT.SUSHMA DAYANAND NANODKAR,
D/O JAYANTH PURUSHATTAM NAVADKAR,
MAJOR,

RESPONDENTS NO.47 AND 48 ARE
R/AT NO.5, CHANDRANATH APARTMENTS,
MAPUSA GOA.



NC: 2026:KHC:50011
MFA No. 3820 of 2025

CNR: KAHC010353162025

49. SRI. K. CHANNABASAPPA,
S/O LATE KARIBASAPPA,
MAJOR,
R/AT VIDYANAGAR CROSS, JALA HOBLI,
BENGALURU NORTH TALUK,
PIN - 562 149.

50. SRI. MARIYAPPA M.
S/O. MUNIYAPPA @ HALU MUNIYAPPA
AGED ABOUT 65 YEARS
R/AT BOILAHALLI VILLAGE
B.K. HALLI POST, JALA HOBLI
BENGALURU NORTH TALUK - 562 149

...RESPONDENTS

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT. 21.02.2025 PASSED ON IA NO.17 IN
O.S.NO.115/2013 ON THE FILE OF THE ADDITIONAL SENIOR
CIVIL JUDGE AND JMFC, DEVANAHALLI, REJECTING THE IA.NO
XVII FILED U/O.39 RULE 4 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,



CNR: KAHC010353162025

NC: 2026:KHC:50011
MFA No. 3820 of 2025

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 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



CNR: KAHC010353162025

District & Sessions Judge, who may assign it to the concerned Appellate Court having jurisdiction.

- 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) List this matter before the District Court on 08.10.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 7