



CNR: KAHC010583492023

NC: 2026:KHC:47150
MFA No. 7791 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 7791 OF 2023 (CPC)

BETWEEN:

1. SRI. SHIVARAJU
S/O LATE LINGEGOWDA @ DODDONU,
AGED ABOUT 55 YEARS
2. SMT. PREMA
W/O LATE KUMAR
AGED ABOUT 48 YEARS
3. SRI. T. SACHIN
S/O LATE KUMAR
AGED ABOUT 29 YEARS
4. SRI. SHASHANK
S/O LATE KUMAR
AGED ABOUT 28 YEARS
5. SMT. JAYAMMA
W/O LATE NINGEGOWDA @ CHIKKONU
AGED ABOUT 76 YEARS
6. SRI. UMESH
S/O LATE NINGEGOWDA @ CHIKKONU
AGED ABOUT 51 YEARS
7. SMT. SARASWATHI



CNR: KAHC010583492023

NC: 2026:KHC:47150
MFA No. 7791 of 2023

W/O LATE RAMU,
DAUGHTER IN LAW OF
KALLEGOWDA @ GOODEGOWDA
AGED ABOUT 55 YEARS

8. SRI. NINGEGOWDA @ SHIVANNA
S/O KALLEGOWDA @ GOODEGOWDA
AGED ABOUT 68 YEARS

ALL ARE RESIDENTS OF
TUNGANI VILLAGE,
KASABA HOBLI,
KANAKAPURA TALUK,
RAMANGARA DISTRICT.

...APPELLANTS

(BY SRI. RAJA L, ADVOCATE)

AND:

1. SMT. JAYARATHNAMMA
D/O KALLEGOWDA @ GOODEGOWDA,
W/O CHIKKADURGEGOWDA,
AGED ABOUT 61 YEARS
RESIDING AT NO. 49/3
10TH MAIN, 10TH CROSS,
SHAKAMBARINAGAR,
1ST PHASE, J.P. NAGAR,
BENGALURU - 560 078.

AND ALSO AT
THUNGANI GATE,
THUNGANI VILLAGE, KASABA HOBLI,
KANAKAPURA TALUK,
RAMANGARA DISTRICT.



NC: 2026:KHC:47150
MFA No. 7791 of 2023

CNR: KAHC010583492023

2. SMT. SUVARNAMMA
W/O KRISHNEGOWDA @
LATE LINGEGOWDA @ DODDONU,
AGED ABOUT 58 YEARS,
RESIDING AT
KALEGOWDANADODDI VILLAGE,
HAROHALLI HOBLI,
KANAKAPURA TALUK,
RAMANGARA DISTRICT.
3. SMT. UMA
W/O LATE VARADARAJU,
AGED ABOUT 53 YEARS,
RESIDING AT BEHIND
ANTHONY INDL. ESTATE,
JARAGANAHALLI, J.P. NAGAR,
BENGALURU - 560 078.
4. SMT. SHIVALINGAMMA
D/O KALEGOWDA @ GOODEGOWDA
AGED ABOUT 69 YEARS
RESIDENT OF TUNGANI VILLAGE
KASABA HOBLI,
KANAKAPURA TALUK
RAMANAGARA DISTRICT.
5. THE LAND ACQUISITION OFFICER,
KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, K.G. ROAD
BENGALURU - 560 009.
6. THE SPECIAL LAND ACQUISITION OFFICER
APPAJI NURSING HOME ROAD
NH-209, NO. 37,



CNR: KAHC010583492023

NC: 2026:KHC:47150
MFA No. 7791 of 2023

SRI. BYRAVESHWARA COMPLEX
MALAVALLI TOWN, MANDYA DISTRICT.

...RESPONDENTS

(BY SRI. NATARAJ BABA K, ADVOCATE FOR R1;
SRI. H.L. PRADEEP KUMAR, ADVOCATE FOR R5;
SMT. SHILPA SHAH, ADVOCATE FOR R6;
R3 IS SERVED AND UNREPRESENTED)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 07.08.2023 PASSED ON I.A.
NO.16 IN O.S.NO. 450/2014 ON THE FILE OF THE SENIOR
CIVIL JUDGE AND JMFC, KANAKAPURA,
ALLOWING THE I.A. NO.16 FILED UNDER ORDER XXXIX
RULES 1 AND 2 READ WITH SECTION 151 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



CNR: KAHC010583492023

NC: 2026:KHC:47150
MFA No. 7791 of 2023

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;
- iii) In case there are pending applications, the same also be transferred to be considered by



CNR: KAHC010583492023

NC: 2026:KHC:47150
MFA No. 7791 of 2023

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) Since the parties are represented before this Court, they shall appear before the learned District Judge on **22.09.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

SSD
List No.: 1 Sl No.: 12