



CNR: KAHC010652882026

NC: 2026:KHC:51956
CP No. 335 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CIVIL PETITION NO. 335 OF 2026

BETWEEN:

1. SRI P.B. RAMU,
S/O P.C. BETTEGOWDA,
AGED ABOUT 36 YEARS,
RESIDING AT NO 453,
2ND FLOOR, 2ND STAGE,
KUMARSWAMY LAYOUT,
BENGALURU - 560078.

...PETITIONER

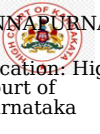
(BY SRI. VIVEK R., ADVOCATE)

AND:

1. SMT. SUMA H P
D/O LATE PUTTASWAMY H.M.,
AGED ABOUT 33 YEARS
W/O P.B. RAMU,
RESIDING AT NO. 121,
3RD CROSS, , 2ND STAGE,
KUMARSWAMY LAYOUT,
BANGALORE SOUTH,
BENGALURU- 560 078.

...RESPONDENT

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by
ANNAPURNA
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Location: High
Court of
Karnataka





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THIS CP IS FILED U/S. 24 OF CPC PRAYING TO TRANSFER EX. CASE NO. 225/2025 PENDING ON THE FILE OF THE HONBLE II ADDITIONAL PRL. JUDGE, FAMILY COURT, BENGALURU TO THE HONBLE III ADDITIONAL PRL. JUDGE, FAMILY COURT, BENGALURU FOR FURTHER PROCEEDINGS AND DISPOSAL.

THIS PETITION IS COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

This petition is filed seeking transfer of Ex.Case.no.225/2025 on file of II Additional Principal Judge, Family Court, Bengaluru to III Additional Principal Judge, Family Court, Bengaluru.

2. Matter is listed for orders regarding office objection about maintainability of petition.

3. This petition is filed under Section 24 of Code of Civil Procedure, 1908.



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Section 24 of CPC reads as follows:

24. General Power of transfer and withdrawal:-

(1) On the application of any of the parties and after notice to the parties and after hearing such of them as desired to be heard, or of its own motion without such notice, the High Court or the District Court may at any stage;

(a) transfer any suit, appeal or other proceeding pending before it for trial or disposal to any Court subordinate to it and competent to try or

(b) withdraw any suit, appeal or other proceeding pending in any Court subordinate to it, and

(i) try or dispose of the same; or

(ii) transfer the same for trial or disposal to any Court subordinate to it and competent to try or dispose of the same; or

(iii) retransfer the same for trial or disposal to the Court from which it was withdrawn.

(2) Where any suit or proceeding has been transferred or withdrawn under sub-section (1), the Court which is thereafter to try or dispose of such suit or proceeding may, subject to any special directions in the case of an order of transfer, either retry it or proceed from the point at which it was transferred or withdrawn.

(3) For the purpose of this Section,

(a) Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court;

(b) "proceeding" includes a proceeding for the execution of a decree or order.



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(4) *The Court trying any suit transferred or withdrawn under this Section from a Court of Small Causes shall, for the purposes of such suit, be deemed to be a Court of small causes.*

5) *A suit or proceeding may be transferred under this Section from a Court which has no jurisdiction to try it.*

4. A perusal of provision would indicate that power of transfer is vested with District Court or High Court. Though learned counsel for petitioner relied on a Rajasthan High Court Division Bench decision, in case of **Hema vs. Mohit Bhardwaj**¹, that Principal Family Judge though has administrative powers for allocation of work, but did not have power to transfer a case from one Family Court to another under Section 7 of Family Courts Act. But ratio does not apply to present case on hand. Petitioner ought to have approached District Court for transfer since petition for transfer sought is from one Family Court to another.

¹ 2026:RJ-JP-8401-DB



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6. Hence, petition is ***dismissed*** with liberty to approach Principal District Judge, Bengaluru.

**Sd/-
(RAVI V HOSMANI)
JUDGE**

AG
List No.: 1 Sl No.: 1