HC-KAR
CNR: KAHC010002472026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 36 OF 2026 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 35 OF 2026 (CPC)

IN MFA No. 36/2026

BETWEEN:

DIVYA BAI
D/O RAMESH SINGH,
AGED ABOUT 26 YEARS,
R/A DANDUPALYA, KASABA HOBLI,
HOSAKOTE TALUK,
BENGALURU RURAL DISTRICT
PIN CODE - 562 114.

...APPELLANT

(BY SRI. RAHUL S. REDDY.,ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

1. RAMESH SINGH
   AGED ABOUT 55 YEARS
   S/O LATE BALAJI SINGH,

2. SARASWATHI
   AGED ABOUT 48 YEARS
   W/O RAMESH SINGH

3. NITN SINGH
   AGED ABOUT 29 YEARS
   RAMESH SINGH

4. NARAYAN SINGH
   AGED ABOUT 57 YEARS

S/O LATE BALAJI SINGH

5. ANASUYA BAI
AGED ABOUT 50 YEARS
W/O NARAYAN SINGH

6. SURENDRA SINGH
AGED ABOUT 53 YEARS
S/O LATE BALAJI SINGH

7. ANITHA BAI
AGED ABOUT 44 YEARS
W/O SURENDRA SINGH

8. SHANTHA BAI
AGED ABOUT 50 YEARS
D/O LATE BALAJI SINGH
W/O KRISHNA SINGH

RESPONDENTS NO.1 TO 8 ARE
RESIDING OF DANDUPALYA VILLAGE
KASABA HOBLI, HOSAKOTE TALUK,
BENGALURU RURUL DISTRICT - 562 114.

9. C JAIRAJ
AGED ABOUT 53 YEARS
S/O CHINNANNA,

10. C LAKSHMI
AGED ABOUT 52 YEARS
W/O C JAIRAJ

RESPONDENTS NO.9 AND 10 ARE RESIDING AT
131, 6TH CROSS,
THAMMEGOWDA LAYOUT,
HOSKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 114

11. TRIBUVANDAS @ TRIBUVANBHAI
AGED ABOUT 66 YEARS

S/O DESIBHAI PATEL
R/AT AZAD FARM, KIDOTAR POST,
AMIRGADH TQ, BANASKANTHA DIST,
GUJARAT - 385 130.
AND ALSO AT 307, MOTHERLAND APARTMENT NEAR
CMR NATIONAL PUBLIC SCHOOL,
BEHIND JALAVAYU VIHAR, KALYAN NAGAR,
BENGALURU - 560 043.

12. GEETHABEN GOUTAM KUMAR PATEL,
AGED ABOUT 42 YEARS
D/O TRIBUVANDAS @ TRIBUVANBHAI.
W/O GAUTAM KUMAR MOHAN BHAI PATEL
R/AT 801, BALLAD, KESAR HARMONY,
PLOT 11-12, SECTOR-6, KHARGHAR,
NAVI MUMBAI - 410 210

AND ALSO AT NO.162, 8TH STREET,
BANK AVNUE, BABUSAPALYA, BANSWADI,
BENGALURU - 560 043.

…RESPONDENTS

(BY SRI. A.G. NAGARAJA, ADVOCATE FOR R9 AND R10
SRI. ANOOP HARANAHALLI, ADVOCATE FOR C/R12
VIDE ORDER DATED 08.01.2026, NOTICE TO R1 TO R8 IS DISPENSED)

THIS MFA IS FILED U/O XLIII RULE 1(r) OF THE CPC, AGAINST THE ORDER DT.5.12.2025 PASSED ON I.A.NO.2 IN O.S.NO. 1056/2022 (OLD NO. 822/2020) ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, REJECTING THE IA NO.2 FILED U/O.39 RULE 1 AND 2 OF CPC.

IN MFA NO. 35/2026

BETWEEN:

DIVYA BAI,
D/O RAMESH SINGH,
AGED ABOUT 26 YEARS,
R/AT DANDUPALYA, KASABA HOBLI

HOSAKOTE TALUK, BENGALURU RURAL DISTRICT
PIN CODE - 562 114

...APPELLANT

(BY SRI. RAHUL S. REDDY, ADVOCATE)

AND:

1. RAMESH SINGH,
   AGED ABOUT 55 YEARS
   S/O LATE BALAJI SINGH
   RESIDING OF DANDUPALYA VILLAGE
   KASABA HONLI, HOSAKOTE TALUK,
   BENGALURU RURAL DISTRICT- 562 114

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   AGED ABOUT 48 YEARS
   W/O RAMESH SINGH

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PLOT 11-12, SECTOR-6, KHARGHAR,
NAVI MUMBAI - 410 210

AND ALSO AT NO. 162, 8TH STREET,
BANK AVNUE, BABUSAPALYA,
BANSWADI, BENGALURU - 560 043.

...RESPONDENTS

(BY SRI. A.G. NAGARAJA, ADVOCATE FOR R9 AND R10;
SRI. ANOOP HARANAHALLI, ADVOCATE FOR C/R12;
VIDE ORDER DATED 08.01.2026, NOTICE TO R1 TO R8 IS DISPENSED)

THIS MFA IS FILED U/O XLIII RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 5.12.2025 PASSED ON I.A.NO.1 IN O.S.NO. 1056/2022 (OLD NO. 822/2020) ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, REJECTING THE IA NO.1 FILED U/O. 39 RULE 1 AND 2 OF CPC.

THESE APPEALS, COMING ON FOR ORDERS, 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- 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:

O R D E R

i) These appeals stand ***disposed of*** for statistical purposes;

ii) Registry is directed to transfer the entire record of these cases, 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 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 these cases 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 **04.12.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 9