HC-KAR

NC: 2026:KHC:61723
MFA No. 411 of 2023

CNR: KAHC010027192023

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. 411 OF 2023 (CPC)

BETWEEN:

1. SMT NIRMALA @ N N PATIL
   W/O LATE NEMAGOUDABHIMAGOUDA PATIL
   AGED ABOUT 55 YEARS

2. SMT ANITHA SANTOSH
   D/O LATE NEMAGOUDABHIMAGOUDA PATIL
   AGED ABOUT 37 YEARS

3. SRI AMIT @ AMIT PATIL @ A N PATIL
   S/O LATE NEMAGOUDABHIMAGOUDA PATIL
   AGED ABOUT 32 YEARS

   ALL ARE PRESENTLY R/AT NO.2087,
   SECTOR NO.9, NEAR MAHESH PU COLLEGE
   RAMATHEERTHNAGAR, BELGAUM

...APPELLANTS

(BY SRI. GURUVA REDDY N., ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. K.S. PRAKASH
   AGED ABOUT 46 YEARS
   S/O LATE SRI. K.S. SRINIVAS

2. SRI K S SATHISH
   AGED ABOUT 41 YEARS
   S/O LATE SRI. K.S. SRINIVAS

3. SMT. K.S. SHARADA
AGED ABOUT 70 YEARS
W/O LATE SRI. K.S. SRINIVAS

RESPONDENTS NO.1 TO 3 ARE
R/AT HARIHARAPURA KARBAIL POST,
KOPPA TALUK, CHIKMAGALUR DISTRICT

4. SMT BHAGAWATHI MURTHY
AGED ABOUT 60 YEARS,
W/O SRI S R NARASIMHAMURTHY
M/S JESTA AROMATICS AGARBATHI
CHAMARAJAPET, BENGALORE - 560 018

5. SMT DEVAPTHA
AGED ABOUT 36 EARS,
D/O SRI S R NARASIMHAMURTHY
NO.22/1, OLD NO.4, 1ST FLOOR,
MOUNT JOY CROSS, DOONDUSA LAYOUT
HANUMANTHANAGAR
BANGALORE - 560 019

6. SMT S RENUKA
AGED ABOUT 35 YEARS
D/O LATE SRI K S SRINIVAS
PRESENTLY R/AT NO.103
1ST MAIN ROAD, NEW K G LAYOUT
BSK 3RD STAGE, BANGALORE - 560 085

…RESPONDENTS

THIS MFA IS FILED U/O.43 RULE 1(c) OF CPC, AGAINST THE ORDER DATED 11.10.2022 PASSED IN MISC.NO.11/2017 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC,

KANAKAPURA, DISMISSING THE PETITION FILED U/O.9 RULE 9 R/W SECTION 151 OF CPC.

THIS APPEAL, COMING ON FOR ADMISSION, 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 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:

O R D E R

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 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 04.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 27