HC-KAR

NC: 2026:KHC:64120
MFA No. 967 of 2024

CNR: KAHC010059772024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 967 OF 2024 (CPC)

BETWEEN:

SRI.CHANDRAPPA S/O A G BASAPPA
AGED ABOUT 73 YEARS
RESIDING AT NO.4, 1ST MAIN,
1ST CROSS, VAISHNAVI LAYOUT,
BENGALURU NORTH,
VIDYARANYAPURA,
BENGALURU - 560 097

...APPELLANT

(BY SRI. UDHAYA KUMAR G.,ADVOCATE)

AND:

SMT. POONGULALI
W/O K R SHANTHA MURTHY
AGED ABOUT 63 YEARS
R/AT NO D6, ADI PAMPA ROAD
BEHIND KEB OFFICE,
V V MOHALLA,
MYSORE - 570 002

...RESPONDENT

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 08.12.2023 PASSED ON I.A. NO. 1 IN O.S.NO.856/2023 ON THE FILE OF THE VII ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., MYSURU,

DISMISSING THE I.A. NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH 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 **14.12.2026.**

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS
List No.: 1 Sl No.: 29