HC-KAR

NC: 2026:KHC:65150
MFA No. 1472 of 2024

CNR: KAHC010117132024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1472 OF 2024 (CPC)

BETWEEN:

SRI R MOHAN BABU
S/O LATE RAMABADRAPPA,
AGEDA BOUT 44 YEARS,
R/AT FLAT NO.315, WEST BLOCK,
GAYATHRI GOOD LIFE APARTMENT,
SEEGEHALLI, KANNAMANGALA POST,
BIDARAHALLI HOBLI, BENGALURU EAST TALUK,
BENGALURU - 560 067

...APPELLANT

(BY SRI. A. MADHUSUDHANA RAO, ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

1. SMT. R. VINODAMMA
W/O SRI. B.R. NATARAJ,
D/O LATE RAMABADRAPPA,
AGED ABOUT 48 YEARS,
R/AT BYALAHALLI, KAMADENAHALLI POST,
HOLUR HOBLI, KOLAR TALUK AND DISTRICT.

2. SMT. R. NIRMALA,
W/O SRI. G. VIJAYAKUMAR,
D/O LATE RAMABADRAPPA,
AGED ABOUT 46 YEARS,
R/AT NO.7, 2ND CROSS,
G.C.ROAD, S.V.G.NAGAR,

MOODALAPALYA,
BENGALURU - 560 072

3. SRI. S.R. SHIVAPRASAD
S/O LATE RAMABADRAPPA,
AGED ABOUT 51 YEARS,
R/AT FLAT NO.203, WEST BLOCK,
GAYATHRI GOOD LIFE APARTMENT,
SEEGEHALLI KANNAMANGALA POST,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK,
BENGALURU - 560 067

4. THE MANAGER,
STATE BANK OF INDIA,
KADUGODI BRANCH,
BELTHUR,
BENGALURU EAST TALUK,
BENGALURU - 560 067.

5. THE SECRETARY,
SRI CHOWDESHWARI CREDIT CO.OP SOCIETY
LIMITED,
NO.22/1, 1ST FLOOR,
RAJARAM MOHAN ROY ROAD,
SAMPANGIRAMANAGAR,
BENGALURU - 560 027

…RESPONDENTS

(BY SRI. UMESH R.S., ADVOCATE FOR R1 AND R2

SRI. NATARAJ, ADVOCATE FOR R5

R3 AND R4 ARE SERVED AND UNREPRESENTED)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 13.12.2023 PASSED ON I.A. NO.1 IN O.S.NO. 301/2023 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, ALLOWING THE I.A. NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 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 16.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 12