HC-KAR

NC: 2026:KHC:61195
MFA No. 3122 of 2023

CNR: KAHC010223462023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3122 OF 2023 (CPC)

BETWEEN:

SMT. A. BHAGYABAI
D/O ANANTHARAM PRASAD,
W/O NARAYANAMURTHY B,
AGED ABOUT 43 YEARS,
R/AT NO.699, 18TH CROSS,
IST BLOCK, 3RD STAGE,
MANJUNATHA NAGAR,
WEST OF CHORD ROAD,
BANGALORE - 560 010

...APPELLANT

(BY SRI. VENKATESH KUMAR, ADVOCATE)

AND:

SRI. ANANTHARAM PRASAD
S/O LATE HARIRAM PRASAD,
SINCE DECEASED REP BY LRS.,
I.E., RESPONDENTS NO.1 TO 6

1. SMT. GEETHA DEVI,
W/O LATE AANATHARAM PRASAD,
AGED ABOUT 69 YEARS,
R/AT NEAR HOLY CRESCENT SCHOOL,
RAMANAGARA MAGADI MAIN ROAD,
IJURU LAYOUT,
RAMANAGARA TOWN,
RAMANAGARA TALUK AND DISTRICT.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

2. SMT P SUDHA
D/O ANANTHARAM PRASAD,
W/O N PRAKASH,
AGED ABOUT 50 YEARS,
R/AT 134, IST FLOOR, SAI HARI NILAYA,
2ND STAGE, SATHYANARAYANA LAYOUT,
J C NAGAR, KURUBARAHALLI,
BANGALORE - 86

3. SRI RAVI @ A H PRASAD
S/O ANANTHARAM PRASAD,
AGED ABOUT 43 YEARS,
R/AT NEAR HOLY CRESCENT SCHOOL,
RAMANAGARA MAGADI MAIN ROAD,
IJURU LAYOUT, RAMANAGARA TOWN,
RAMANAGARA TALUK, RAMANAGARA DISTRICT.

4. SMT HEMAVATHI
D/O ANANTHARAM PRASAD,
W/O DEVARAM PRASAD,
AGED ABOUT 38 YEARS,
R/AT NO.42/1, 15TH CROSS,
6TH MAIN, CHOWDAPPA LAYOUT,
BAPUJINAGAR, MYSURU ROAD,
BANGALORE - 26

5. SM. PUSHPA K
D/O ANANHARAM PRASAD,
W./O KRISHNA,
AGED ABOUT 36 YEARS,
R/AT NO.90, IST FLOOR,
SIDDHARATHANAGAR EXTENSION,
KAVALABIRASANDRA, R T NAGAR,
BANGALORE-32

6. SRI A GNANENDRA PRASAD
S/O ANANHARAM PRASAD,
AGED ABOUT 34 YEARS,
1 R/AT NO.317, 2ND FLOOR,
EWS, KHB COLONY,
2ND MAIN ROAD, 2ND STAGE,
BANGALORE - 79

…RESPONDENTS

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 22.09.2022 PASSED ON I.A. NO.I IN O.S.NO.243/2017 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE AND CJM., RAMANAGARA, REJECTING I.A. NO.1 FILED UNDER ORDER XXXIX RULES 1 AND 2 READ WITH SECTION 151 OF CPC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: ON'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 03.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK, List No.: 1 Sl No.: 11