HC-KAR

CNR: KAHC010245102022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 4138 OF 2022 (CPC)

BETWEEN:

SRI. D. NARASIMHAMURTHY
S/O. LATE SRI DODDAHANUMAIAH,
AGED ABOUT 55 YEARS,
R/AT NO.318, 2ND CROSS,
7TH MAIN ROAD, ATTURU POST,
YELAHANKA, BENGALURU - 560 064.

...APPELLANT

(BY SRI. V.R. BALARAJ, ADVOCATE)

AND:

1. SMT JAYAMMA
   W/O RI MUNIHUCHAPPA,
   AGED ABOUT 61 YEARS,

2. SRI SURESH KUMAR
   S/O SRI MUNIHUCHAPPA,
   AGED ABOUT 41 YEARS,

3. SRI VASANTH KUMAR
   S/O SRI MUNIHUCHAPPA,
   AGED ABOUT 36 YEARS,

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4. SRI MUNIRAJA
   S/O SRI MUNIHUCHAPPA,
   AGED ABOUT 33 YEARS,
5. SRI MURTHY
   S/O SRI MUNIHUCHAPPA,
   AGED ABOUT 28 YEARS,

6. SMT CHENNAMMA
   W/O SRI KRISHNAPPA,
   AGED ABOUT 47 YEARS,

7. SRI K MURALI KUMAR
   S/O SRI KRISHNAPPA,
   AGED ABOUT 35 YEARS,

8. SMT RENUKA
   D/O SRI KRISHNAPPA,
   AGED ABOUT 30 YEARS,

   ALL ARE RESIDENTS OF ATTURU VILLAGE,
   YELAHANKA HOBLI AND TALUK,
   BENGALURU DISTRICT - 560 064.

…RESPONDENTS

(BY SRI. MUDDURAJ C., ADVOCATE FOR R1 TO R5)

THIS MFA IS FILED U/O.43 RULE 1(r) OF CPC, AGAINST THE ORDER DT. 26.05.2022 PASSED ON IA NO.1 AND 2 IN O.S.NO.451/2022 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRCIT, BENGALURU, DISMISSING IA NO.1 AND 2 FILED U/O.39 RULES 1 AND 2 OF CPC.

THIS APPEAL, COMING ON FOR ORDERS, 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 07.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 4