HC-KAR

NC: 2026:KHC:64793
MFA No. 3002 of 2024

CNR: KAHC010255882024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3002 OF 2024 (CPC)

BETWEEN:

LATE SMT. V BHAGYALAKSHMI
W/O LATE R. MAHDEVA GOWDA
SINCE DECEASED REPRSENTED BY HER LR'S

1. SMT. G.M. SANDHYA
WIFE OF SRI. T.V. VENKATESH
DAUGHER OF LATE R. MAHADEVA GOWDA
AND LATE SMT. BHAGYALAKSHMI
AGED ABOUT 46 YEARS

2. SRI. G.M. SHRINIDHI
SON OF LATE R. MAHADEVA GOWDA
AND LATE SMT. BHAGYALAKSHMI
AGED ABOUT 41 YEARS

BOTH ARE RESIDENT OF NO.3,
SRI RANGA, 19TH CROSS, 22ND MAIN
AYODHYA NAGAR, J.P. NAGAR 5TH PHASE,
BENGALURU - 560 078.

...APPELLANTS

(BY SRI. MOHANA C, ADVOCATE)

AND:

SMT. V. SHAILA PRASANNA
MIRAJKAR.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

WIFE OF SRI. PRSANNA S MIRAJKAR
AGED ABOUT 44 YEARS
RESIDING IN FRONT
VISHWAS MANGO GARDEN
CHIRISTIAN COLONY
CHIKKAMANGALURU - 577 101.

…RESPONDENT

(BY SRI. K.V. SATEESHCHANDRA, ADVOCATE)

THIS MFA IS FILED U/O 43 RULE 1(d) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 14.02.2024 PASSED ON I.A.NO.1 IN MISC.NO. 42/2022 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE AND CJM, CHIKKAMAGALURU, DISMISSING THE PETITION FILED UNDER ORDER 9 RULE 13 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 **16.12.2026.**

vi) As an interim order is granted by this Court, the same shall continue till disposal of the application before the District Court. No opinion is expressed by this Court.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS
List No.: 1 Sl No.: 30