HC-KAR
CNR: KAHC010324832025

NC: 2026:KHC:60900
MFA No. 3519 of 2025
C/W MFA No. 2853 of 2025
MFA No. 2928 of 2025
AND 2 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3519 OF 2025 (CPC)
C/W
MISCELLANEOUS FIRST APPEAL NO. 2853 OF 2025 (CPC)
MISCELLANEOUS FIRST APPEAL NO. 2928 OF 2025 (CPC)
MISCELLANEOUS FIRST APPEAL NO. 2940 OF 2025 (CPC)
MISCELLANEOUS FIRST APPEAL NO. 2943 OF 2025 (CPC)

IN MFA No. 3519/2025

BETWEEN:

SRI. BEERENDRA KUMAR
S/O LATE DODDABASAPPA
AGED ABOUT 50 YEARS
RESIDING AT ARASANAHALLI VILLAGE
SULIBELE HOBLI, HOSAKOTE TALUK,
BANGALORE RURAL DISTRICT - 562 114

AND ALSO AT 94, 2ND MAIN,
10TH CROSS MUNESWARA LAYOUT,
NEAR SURYA BAKERY, LEGGERE BRIDGE
BANGALORE - 560 058

...APPELLANT

(BY SRI. RAJESH A., ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. SHANKAR. R
S/O RAMAKRISHNAPPA
AGED ABOUT 39 YEARS
RESIDING AT NO 101 HALEOORU VILLAGE ,

NANDAGUDI HOBLI, HOSAKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 114

2. SRI NAGARAJU
S/O BASAPPA
AGED ABOUT 54 YEARS
RESIDING AT ARASANAHALLI VILLAGE
SULIBELE HOBLI, HOSAKOTE TALUK
BENGALURU RURAL DISTRICT - 562 114

3. SRI MURTHY
S/O BASAPPA
AGED ABOUT 50 YEARS
RESIDING AT ARASANAHALLI VILLAGE
SULIBELE HOBLI, HOSAKOTE TALUK,
BANGALORE RURAL DISTRICT - 562 114

4. SRI RAJA
S/O BASAPPA
AGED ABOUT 45 YEARS
RESIDING AT ARASANAHALLI VILLAGE
SULIBELE HOBLI, HOSAKOTE TALUK,
BANGALORE RURAL DISTRICT - 562 114

5. SRI RAGHAVENDRA
S/O BASAPPA
AGED ABOUT 38 YEARS
RESIDING AT ARASANAHALLI VILLAGE
SULIBELE HOBLI, HOSAKOTE TALUK,
BANGALORE RURAL DISTRICT - 562 114

…RESPONDENTS

(BY SRI. PUNITH C., ADVOCATE FOR C/R1)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 11.04.2025 PASSED ON I.A.NOS.1 AND 2

TO 5 IN OS.NO.36/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, ALLOWING THE IA.NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 OF CPC AND REJECTING THE I.A.NO.2 FILED UNDER ORDER 39 RULE 4 R/W SECTION 151 OF CPC AND REJECTING THE IA.NOS 3 TO 5 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

IN MFA NO. 2853/2025

BETWEEN:

1. SRI NAGAAJU B
   S/O. LATE BASAPPA CHIKKABASAPPA,
   AGED ABOUT 53 YEARS,

2. SRI. KRISHNAMURTHY @ MURTHY,
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 48 YEARS,

3. SRI. RAJANNA @ RAJA,
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 44 YEARS,

4. SRI. RAGHAVENDRA B.
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 32 YEARS,

   ALL THE APPELLANTS ARE RESIDING AT
   ARASANAHALLI VILLAGE, SULEBELE POST,
   SULEBELE HOBLI,
   HOSAKOTE TALUK - 562 129,
   BENGALURU RURAL DISTRICT.

...APPELLANTS

(BY SRI. RAJESH A., ADVOCATE)

AND:

1. SRI SHANKAR R
   S/O. RAMAKRISHNAPPA,
   AGED ABOUT 39 YEARS,
   R/AT NO. 101, HALEOORU VILLAGE,
   NANDAGUDI HOBLI, HOSKOTE TALUK - 562 114,
   BENGALURU RURAL DISTRICT.

2. SRI. BEERENDRA KUMAR,
   S/O. LATE DODDABASAPPA,
   AGED ABOUT 45 YEARS,
   RESIDING AT ARASANAHALLI VILLAGE,
   SULEBELE HOBLI, HOASKOTE TALUK - 562 129,
   BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI. B. RAMESH, ADVOCATE FOR R1 TO R4)

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 01.04.2025 PASSED ON I.A.NO.4 IN OS.NO. 36/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, REJECTING THE I.A.NO.4 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

IN MFA NO. 2928/2025

BETWEEN:

1. SRI NAGARAJU B
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 53 YEARS,

2. SRI. KRISHNAMURTHY @ MURTHY
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 48 YEARS,

3. SRI. RAJANNA @ RAJA,
S/O. LATE BASAPPA @ CHIKKABASAPPA,
AGED ABOUT 44 YEARS,

4. SRI. RAGHAVENDRA B.
S/O. LATE BASAPPA @ CHIKKABASAPPA,
AGED ABOUT 32 YEARS,

ALL THE APPELLANTS ARE RESIDING AT
ARASANAHALLI VILLAGE, SULEBELE POST,
SULEBELE HOBLI, HOSAKOTE TALUK - 562 129,
BENGALURU RURAL DISTRICT.

...APPELLANTS

(BY SRI. RAJESH A., ADVOCATE)

AND:

1. SRI. SHANKAR R.
S/O. RAMAKRISHNAPPA,
AGED ABOUT 39 YEARS,
R/AT NO.101, HALEOORU VILLAGE,
NANDAGUDI HOBLI, HOSKOTE TALUK - 562 114,
BENGALURU RURAL DISTRICT.

2. SRI. BEERENDRA KUMAR
S/O. LATE DODDABASAPPA,
AGED ABOUT 45 YEARS,
RESIDING AT ARASANAHALLI VILLAGE,
SULEBELE HOBLI, HOASKOTE TALUK - 562 129,
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI. B. RAMESH, ADVOCATE FOR R1 TO R4)

THIS MFA IS FILED U/O 43 RULE 1(r) AGAINST THE ORDER DATED 01.04.2025 PASSED ON I.A.NO.V IN

OS.NO.36/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, REJECTING THE I.A.NO.5 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

IN MFA NO. 2940/2025

BETWEEN:

1. SRI NAGARAJU B
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 53 YEARS,

2. SRI. KRISHNAMURTHY @ MURTHY,
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 48 YEARS,
3. SRI. RAJANNA @ RAJA,
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 44 YEARS,

4. SRI. RAGHAVENDRA B.
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 32 YEARS,
   ALL THE APPELLANTS ARE
   RESIDING AT ARASANAHALLI VILLAGE,
   SULEBELE POST, SULEBELE HOBLI,
   HOSAKOTE TALUK - 562 129,
   BENGALURU RURAL DISTRICT.

...APPELLANTS

(BY SRI. RAJESH A., ADVOCATE)

AND:

1. SRI SHANKAR R
   S/O. RAMAKRISHNAPPA,

AGED ABOUT 39 YEARS,
R/AT NO.101, HALEOORU VILLAGE,
NANDAGUDI HOBLI,
HOSKOTE TALUK - 562 114,
BENGALURU RURAL DISTRICT.

2. SRI. BEERENDRA KUMAR,
S/O. LATE DODDABASAPPA,
AGED ABOUT 45 YEARS,
RESIDING AT ARASANAHALLI VILLAGE,
SULEBELE HOBLI, SULEBELE POST,
HOASKOTE TALUK - 562 129,
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI. B. RAMESH, ADVOCATE FOR R1 TO R4)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 01.04.2025 PASSED ON IA NO.3 IN O.S.NO.36/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, REJECTING THE IA.NO3 FILED UNDER ORDER RULE 1 AND 2 R/W SECTION 151 OF CPC.

IN MFA NO. 2943/2025

BETWEEN:

1. SRI NAGARAJU B
S/O. LATE BASAPPA @ CHIKKABASAPPA,
AGED ABOUT 53 YEARS,

2. SRI. KRISHNAMURTHY @ MURTHY,
S/O. LATE BASAPPA @ CHIKKABASAPPA,
AGED ABOUT 48 YEARS,

3. SRI. RAJANNA @ RAJA,
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 44 YEARS,

4. SRI. RAGHAVENDRA B.
   S/O. LATE BASAPPA @ CHIKKABASAPPA,
   AGED ABOUT 32 YEARS,
   ALL THE APPELLANTS ARE RESIDING AT
   ARASANAHALLI VILLAGE,
   SULEBELE HOBLI, SULEBELE POST,
   HOSAKOTE TALUK - 562 129,
   BENGALURU RURAL DISTRICT.

..APPELLANTS

(BY SRI. RAJESH A., ADVOCATE)

AND:

1. SRI SHANKAR R
   S/O. RAMAKRISHNAPPA,
   AGED ABOUT 39 YEARS,
   R/AT NO.101, HALEOORU VILLAGE,
   NANDAGUDI HOBLI, HOSKOTE TALUK - 562 114,
   BENGALURU RURAL DISTRICT.
2. SRI. BEERENDRA KUMAR,
   S/O. LATE DODDABASAPPA,
   AGED ABOUT 45 YEARS,
   RESIDING AT ARASANAHALLI VILLAGE,
   SULEBELE HOBLI, SULEBELE POST,
   HOSAKOTE TALUK - 562 129,
   BENGALURU RURAL DISTRICT

...RESPONDENTS

(BY SRI. B. RAMESH, ADVOCATE FOR R1 TO R4)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 01.04.2025 PASSED ON

I.A.NO.1 IN OS.NO.36/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOSAKOTE, ALLOWING THE I.A.NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These appeals filed before this Court are 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 these matters 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) Appeals stands **disposed of** for statistical purposes.

ii) Registry is directed to transfer the entire record of the cases, 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 these matters before the District Court on 01.12.2026 without awaiting further notice.

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

RCK
List No.: 1 Sl No.: 11