HC-KAR

NC: 2026:KHC:64792
MFA No. 2824 of 2024

CNR: KAHC010268052024

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. 2824 OF 2024 (CPC)

BETWEEN:

1. SMT. GOWRAMMA
   D/O LATE. AGADOORAPPA,
   W/O LATE MAHADEVAIAH
   AGED ABOUT 64 YEARS,
   R/AT. B.B.M.P OLD NO. 23,
   NEW NO. 31, 11TH CROSS,
   NEAR ANUSHA GAS AGENCY,
   BENDRE NAGARA, SUBRAMANYAPURA
   MAIN ROAD, BENGALURU.

2. SMT. MAHADEVAMMA,
   D/O LATE AGADNORAPPA,
   AGED ABOUT 60 YEARS,
   R/AT. KONASANDRA VILLAGE,
   JIGANI HOBIL, ANEKAL TALUK
   BENGALURU DISTRICT.

...APPELLANTS

(BY SRI. SRINIVASA K, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. A. RUDRAPPA
   S/O LATE. AGADOORAPPA,
   AGED ABOUT 71 YEARS,

2. SRI. CHINNAPPA
S/O. LATE AGADOORAPPA,
AGED ABOUT 67 YEARS,
BOTH ARE R/AT. INDLAVADI VILLAGE
KHASABA HOBLI, ANEKAL TALUK
BENGALURU DISTRICT.

3. THE SPL. LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD
KAVERI BHAVAN, BENGALURU - 560 001.

4. C. NAGARAJU,
S/O. CHIKKASAMPAIAH
AGED ABOUT 64 YEARS,
R/AT. HARAGADDE VILLAGE, JIGANI HOBLI,
ANEKAL TALUK, BENGALURU DISTRICT.

5. SMT. YASHODAMMA,
W/O. A. RUDRAPPA,
AGED ABOUT 63 YEARS,

6. SMT. RADHAMMA,
D/O. A. RUDRAPPA,
AGED ABOUT 50 YEARS,

7. SMT. NAGARATHNA
D/O. A RUDRAPPA,
AGED ABOUT 46 YEARS,

8. SMT. SHASHIKALA,
D/O. A. RUDRAPPA,
AGED ABOUT 42 YEARS,

9. SRI. KRISHNAMURTHY,

S/O. A. RUDRAPPA,
AGED ABOUT 40 YEARS,

10. SMT. MANJULA,
D/O. A. RURDAPPA,
AGED ABOUT 38 YEARS,

11. SRI. ANAND KUMAR,
S/O. A. RUDRAPPA,
AGED ABOUT 36 YEARS,

12. SRI. RAVI,
S/O. A. RUDRAPPA,
AGED ABOUT 34 YEARS,

13. SRI. SAMPAIAH
S/O A. RUDRAPPA
AGED ABOUT 30 YEARS

RESPONDENTS 5 TO 13 ARE R/AT
INDLAVADI VILLAGE, KASABA HOBLI
ANEKAL TALUK, BENGALURU DISTRICT.

…RESPONDENTS

(BY SRI. A. VIJAY KUMAR BHAT, ADVOCATE FOR C/R2)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 15.04.2024 PASSED ON I.A. NOs. VIII AND XI IN O.S.NO. 851/2013 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC AT ANEKAL, REJECTING I.A. NO.VIII FILED UNDER ORDER XXXIX RULE 1 AND 2 READ WITH SECTION 151 OF CPC AND ALLOWING THE

I.A.NO. XI FILED UNDER ORDER XXXIX RULE 4 READ WITH 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.: 29