HC-KAR

NC: 2026:KHC:64111
MFA No. 2980 of 2024

CNR: KAHC010274532024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 2980 OF 2024 (CPC)

BETWEEN:

GOUTHAM CHAND S/O LATE MOTILAL,
AGED ABOUT 63 YEARS,
R/AT NO 41, SHIVAJI ROAD,
1ST CROSS, SHIVAJINAGAR,
BENGALURU - 560 051

...APPELLANT

(BY SRI. VIKRAM BALAJI, ADVOCATE)

AND:

1. M/S BENGALURU DIVINITY LLP
A LIMITED LIABILITY PARTNERSHIP,
HAVING ITS REGISTERED OFFICER AT NO.8-3-833,
PLOT NO 37 AND 38, PHASE 1,
KAMALAPURI COLONY, HYDERABAD - 570 073
REPRESENTED BY ITS SPA HOLDER,
SRI B PRABHAKAR,
S/O D VENKATANARAYANA REDDY,
AGED ABOUT 50 YEARS,
RESIDING AT NO 1-3-183/40/198-199
COLESTIAL ABODE, SBI STAFF COLONY,
GANDHINAGAR, SECUNDERABAD,
HYDERABAD, TELENGANA - 570 080

2. SRI V RAVIKUMAR S/O H S VENKAT RAO,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AGED ABOUT 52 YEARS,
R/AT: NO.96/97, 7TH CROSS,
K R LAYOUT, J P NAGAR, 6TH PHASE,
BANGALORE - 560 078

3. SRI R K BUDHWAR @ R S BUDHWAR
S/O RICHIRAN
AGED MAJOR

4. SRI HITALAL WAHI S/O SHAMSHAD SINGH,
AGED MAJOR

5. SRI A C DHAMBADAKERE S/O CHETURAM
AGED MAJOR

RESPONDENTS NO.3 TO 5 ARE REPRESENTED BY
THEIR GPA HOLDER
R2 - SRI V RAVIKUMAR S/O H S VENKAT RAO,
AGED ABOUT 52 YEARS,
R/AT NO 96/97, 7TH CROSS, K R LAYOUT,
J P NAGAR, BANGALORE - 560 078.

…RESPONDENTS

THIS MFA IS FILED U/O. 43 RULE 1(r) OF CPC, AGAINST THE ORDER DT.22.03.2024 ON IA NO.1 AND 3 IN OS. NO.252/2023, ON THE FILE OF THE ADDL. SENIOR CIVIL JUDGE AND JMFC, MAGADI, ALLOWING THE IA NO.1 FILED U/O. 39 RULE 1 AND 2 IN CPC AND ETC.

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 **14.12.2026.**

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS/List No.: 1 Sl No.: 4