HC-KAR

NC: 2026:KHC:61839
MFA No. 3425 of 2025
C/W MFA No. 3407 of 2025

CNR: KAHC010308192025

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. 3425 OF 2025 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 3407 OF 2025 (CPC)

IN MFA No. 3425/2025

BETWEEN:

1. SMT.SAVITHA R
   W/O RAJENDRA K
   AGED ABOUT 51 YEARS

2. KUM. PRATHEEKSHA R
   D/O SAVITHA R AND RAJENDRA K
   AGED ABOUT 26 YEARS

   BOTH ARE R/AT VILLA NO.28,
   PRITHVI ORCHIDS VILLA
   ELECTRONIC CITY
   NEAR INFOSYS BACK SIDE
   HEBBAL MYSURU - 570 027

...APPELLANTS

(BY SRI. A. MADHUSUDHANA RAO, ADVOCATE)

AND:

1. SRI RAJENDRA K.
   S/O LATE KEMPAIAH
   AGED ABOUT 66 YEARS

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

2. SMT. ASHA
W/O RAJENDRA. K
AGED ABOUT 53 YEARS

3. SMT. VARSHITHA
D/O RAJENDRA K
W/O VINAY KUMAR
AGED ABOUT 35 YEARS

4. SMT. NAMITHA ARJUN
D/O RAJENDRA K
W/O ARJUN ANKATHATTI

ALLL ARE R/AT A4. KEMPAIAHA LAYOUT
ARCHID APARTMENTS NAGSHETHALLI
BENGALURU - 560 094

…RESPONDENTS

(BY SRI. NAFEESA BAIG, ADVOCATE FOR R1 TO R3)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT.27.02.2025 PASSED ON IA NO.2 IN O.S.NO.230/2024 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE, SRIRANGAPATNA, DISMISSING IA NO.2 FILED U/O.39 RULE 1 AND 2 R/W SEC.151 OF CPC.

IN MFA NO. 3407/2025

BETWEEN:

1. SMT.SAVITHA R
W/O RAJENDRA K
AGED ABOUT 51 YEARS

2. KUM. PRATHEEKSHA R
D/O SAVITHA R AND RAJENDRA K
AGED ABOUT 26 YEARS

R/AT VILLA NO.28, PRITHVI ORCHIDS VILLA
ELECTRONIC CITY
NEAR INFOSYS BACK SIDE
HEBBAL MYSURU - 570 027

...APPELLANTS

(BY SRI. A. MADHUSUDHANA RAO, ADVOCATE)

AND:

1. SRI. RAJENDRA K.
   S/O LATE KEMPAIAH
   AGED ABOUT 66 YEARS

2. SMT. ASHA
   W/O RAJENDRA. K
   AGED ABOUT 53 YEARS

3. SMT. VARSHITHA
   D/O RAJENDRA K
   W/O VINAY KUMAR

4. SMT. NAMITHA ARJUN
   D/O RAJENDRA K
   W/O ARJUN ANKATHATTI

   RESPONDENTS NO.1 TO 4 ARE ALL
   R/AT A4, KEMPAIAH LAYOUT
   ARCHID APARTMENTS, NAGSHETHALLI
   BENGALURU - 560 094

...RESPONDENTS

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 27.02.2025 PASSED ON I.A.NO.1 IN OS.NO. 230/2024 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE, SRIRANGAPATTANA, PARTLY 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 matters 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 07.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 20