HC-KAR

NC: 2026:KHC:64794
MFA No. 4135 of 2024

CNR: KAHC010349112024

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. 4135 OF 2024 (CPC)

BETWEEN:

1. SMT. BHARATHI
   W/O LATE JAYARAM,
   AGED ABOUT 62 YEARS,

2. SMT. DEEPA
   D/O LATE JAYARAM,
   AGED ABOUT 30 YEARS,

3. SMT. SANDHYA
   D/O LATE JAYARAM,
   AGED ABOUT 28 YEARS,

4. SRI. VINAY
   S/O LATE JAYARAM,
   AGED ABOUT 24 YEARS,

5. SRI. VENKATASWAMY
   S/O LATE MNIGA @ MUNIYAPPA,
   AGED ABOUT 62 YEARS,

6. SMT. LAKSHMAMMA
   W/O VENKATASWAMY,
   AGED ABOUT 58 YEARS,

7. SRI. SRINIVAS S.V.

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Location: HIGH COURT OF KARNATAKA

S/O VENKATASWAMY,
AGED ABOUT 30 YEARS,

8. SMT. LALITHA S.V.
D/O VENKATASWAMY,
AGED ABOUT 28 YEARS,

9. SMT. MANJULA S.V.
D/O VENKATASWAMY,
AGED ABOUT 26 YEARS,

10. SRI. PAVAN KUMAR S.V.
S/O VENKATASWAMY,
AGED ABOUT 24 YEARS,

11. SRI. NARAYANASWAMY
S/O MJUNIGA W MUNIYAPPA,
AGED ABOUT 57 YEARS,

12. SMT. RATHNAMMA
W/O NARAYANA SWAMY,
AGED ABOUT 52 YEARS,

13. SRI. SANTHOSH
S/O NARAYANA SWAMY,
AGED ABOUT 25 YEARS,

14. SMT. SINDHU
D/O NARAYANA SWAMY,
AGED ABOUT 22 YEARS,

APPELLANTS NO.1 TO 14 ARE
RESIDENTS OF SARJAPURA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK
BANGALORE URBAN DISTRICT.

REPRESENTED BY THEIR
GENERAL POWER OF ATTORNEY HOLDER,
SRI. MOHAN G S/O GUNDAPPA,
VIDE REGISTERED GENERAL POWER
OF ATTORNEY DATE 11-08-2022.

15. SRI. MOHAN G
S/O GUNDAPPA,
AGED ABOUT 43 YEARS,
R/AT NO. 627, 12TH CROSS,
27TH MAIN, HSR LAYOUT,
BENGALURU - 560 102.

…APPELLANTS

(BY SRI. MURALIDARA R, ADVOCATE)

AND:

SRI. JAYANNA S.C.
S/O CHINNAPA
AND HIS SECOND WIFE ANJINAMMA
AGED ABOUT 46 YEARS,
R/AT AMBEDIKAR COLONY,
SARJAPURA TOWN HOBLI,
BENGALORE URBAN DISTRICT.

…RESPONDENT

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT.16.04.2024 PASSED ON IA NO.1 IN O.S.NO.14/2023 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING IA NO.1 FILED U/O.39 RULE 1 AND 2 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.**

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS/List No.: 1 Sl No.: 31