HC-KAR

CNR: KAHC010552732022

NC: 2026:KHC:61080
MFA No. 8071 of 2022
C/W MFA No. 5943 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8071 OF 2022 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 5943 OF 2022 (CPC)

IN MFA No. 8071/2022

BETWEEN:

1. SMT. MUNITHAYAMMA
   W/O LATE C.H. GOVINDAPPA
   AGED ABOUT 62 YEARS

2. SMT. PREMA
   D/O LATE C.H. GOVINDAPPA
   AGED ABOUT 41 YEARS

3. SMT. ROOPA
   D/O LATE C.H. GOVINDAPPA
   AGED ABOUT 38 YEARS

4. SMT. GEETHA
   D/O LATE C.H. GOVINDAPPA
   AGED ABOUT 32 YEARS

   APPELLANTS 1 TO 4 ARE ALL
   R/AT CHIKKANAGAMANGALA VILLAGE
   HUSKUR POST, SARJAPURA HOBLI
   ANEKAL TALUK, BENGALURU DISTRICT.

…APPELLANTS

(BY SRI. M.N. UMESH, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. NARAYANAPPA

S/O LATE MADDURAPPA
AGED ABOUT 56 YEARS

2. SRI. VENAKATESH
S/O LATE MADDURAPPA
AGED ABOUT 53 YEARS

3. SMT. MANJULA
S/O LATE MADDURAPPA
AGED ABOUT 53 YEARS

RESPONDENTS 1 TO 3 ARE
R/AT ANANTHA NAGAR
KAMMASANDRA VILLAGE
ELECTRONIC CITY POST,
DOOR NO, 1001/14, 3RD CROSS
ATTIBELE HOBLI, ANEKAL TALUK
BANGALORE - 560 100.

4. SMT. AKKAYAMMA @ MUNI AKKAYAMMA
D/O LT YALLAGA AND KAVERAMMA
AGED ABOUT 81 YEARS

5. SRI. KRISHNAPPA
S/O LATE MADDURAPPA
AGED ABOUT 59 YEARS

RESPONDENTS 4 AND 5 ARE
R/AT ANANTHA NAGAR
KAMMASANDRA VILLAGE
ELECTRONIC CITY POST,
DOOR NO.1001/14,
3RD CROSS, ATTIBELE HOBLI
ANEKAL TALUK, BANGALORE - 560 100.

6. SMT. LATHA
D/O LATR C.H. GOVINDAPPA
AGED ABOUT 35 YEARS

7. SMT. NAGAMMA

W/O LATE YELLAPPA
AGED ABOUT 81 YEARS

8. SMT. MUNIYELLAMMA
W/O LATE YELLAPPA
AGED ABOUT 78 YEARS

9. SMT. CHENNAMMA
W/O ANAIYAPPA
AGED ABOUT 78 YEARS

RESPONDENTS 6 TO 9 ARE ALL
R/AT CHIKKANAGAMANGALA VILLAGE
HUSKUR POST, SARJAPURA HOBLI
ANEKAL TALUK, BENGALURU DISTRICT.

10. M/S. AMRIT HOMES PRIVATE LIMITED,
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT
NO. 17, ZONE II, MAHARANAPRATHAP NAGAR
BHOPAL, MADHYA PRADESH - 462 011,
REPRESENTED BY ITS MANAGING DIRECTOR
MR. PRITPAL SINGH BINDRA.

…RESPONDENTS

(BY SRI. MANJUNATHA M.V, ADVOCATE FOR R1 TO R3;
SRI. UMESH S, ADVOCATE FOR R4 AND R5)

THIS MFA IS FILED U/O XLIII RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 12.07.2022 PASSED ON I.A.NO.1 IN OS.NO.831/2016 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING THE I.A.NO.I FILED UNDER ORDER 39 RULE 1 AND 2 R/W SECTION 151 OF CPC.

IN MFA NO. 5943/2022

BETWEEN:

M/S. AMRIT HOMES PRIVATE LIMITED

A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFICE AT NO.17,
ZONE II, MAHARANAPRATHAP NAGAR
BHOPAL, MADHYA PRADESH - 462 011
REPRESENTED BY ITS MANAGING DIRECTOR
MR. PRITPAL SINGH BINDRA

...APPELLANT

(BY SRI. A. MADHUSUDHANA RAO, ADVOCATE)

AND:

1. SRI. NARAYANAPPA
   S/O LATE MADDURAPPA
   AGED ABOUT 56 YEARS

2. SRI. VENKATESH
   S/O LATE MADDURAPPA
   AGED ABOUT 53 YEARS

3. SMT. MANJULA
   D/O LATE MADDURAPPA
   AGED ABOUT 53 YEARS

4. SMT. AKKAYAMMA @ MUNI AKKAYAMMA
   D/O LATE YALLAGA AND KAVERAMMA
   AGED ABOUT 81 YEARS

5. SRI. KRISHNAPPA
   S/O LATE MADDURAPPA
   AGED ABOUT 59 YEARS

   RESPONDENTS 1 TO 5 ARE ALL
   R/A ANANTHA NAGAR
   KAMMASANDRA VILLAGE,
   ELECTRONIC CITY POST,
   DOOR NO.1001/14
   3RD CROSS, ATTIBELE HOBLI
   ANEKAL TALUK, BANGALORE - 560 100.

6. SRI. MUNITAYAMMA
W/O LATE C.H. GOVINDAPPA
AGED ABOUT 62 YEARS

7. SMT. PREMA
D/O LATE C.H. GOVINDAPPA
AGED ABOUT 41 YEARS

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10. SMT. GEETHA
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W/O LATE YELLAPPA
AGED ABOUT 81 YEARS

12. SMT. MUNIYELLAMMA
W/O LATE YELLAPPA
AGED ABOUT 78 YEARS

13. SMT. CHENNAMMA
W/O ANAIYAPPA
AGED ABOUT 78 YEARS

RESPONDENTS 6 TO 13 ARE ALL
R/AT CHIKKANAGAMANGALA VILLAGE
HUSKUR POST, SARJAPURA HOBLI
ANEKAL TALUK, BENGALURU DISTRICT - 560 100.

...RESPONDENTS

(BY SRI. KALYAN R, ADVOCATE FOR R1 TO R3)

THIS MFA IS FILED U/O XLIII RULE 1(r) OF CPC,

AGAINST THE ORDER DT.12.07.2022 PASSED ON IA NO.1 IN O.S.NO.831/2016 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING IA NO.1 FILED U/O.39 RULE 1 AND 2 R/W SEC.151 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 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 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) These appeals stand ***disposed of*** for statistical purposes;

ii) Registry is directed to transfer the entire record of these 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 these cases and all rights and contentions of the parties are left open to be agitated before the concerned Appellate Court;

v) Since the parties are represented before this Court, they shall appear before the learned District Judge on **02.12.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 4