HC-KAR

NC: 2026:KHC:61833
MFA No. 6316 of 2022

CNR: KAHC010415842022

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. 6316 OF 2022 (CPC)

BETWEEN:

SRI. D. PURUSHOTHAMA REDDY
S/O LATE J. DORESWAMY,
AGED ABOUT 67 YEARS,
R/AT NO.19, AECS LAYOUT,
ACHALA SEVESHRAMA ROAD,
6TH CROSS, SANJAYANAGAR,
BENGALURU - 560 094.

...APPELLANT

(BY SRI. SIDDHARTH B. MUCHANDI, ADVOCATE)

AND:

1. SRI NARESH KUMAR K.
   S/O N.KEMPANNA
   AGED ABOUT 46 YEARS,
   R/AT KADIGANAHALLI
   JALA HOBLI BETTAHALASUR,
   BENGALURU - 562 157.
2. SMT. P. SUNITHA
   D/O D. PURUSHOTHAMA REDDY
   W/O NAVEEN
   AGED ABOUT 36 YEARS,
   R/AT O.334, KLSR LAKE VIEW, 1ST FLOOR,
   13TH MAIN ROAD, BEHIND GREEN VIEW MEDICAL
   CENTER, SECTOR NO.5, HSR LAYOUT,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

BENGALURU - 560 102.

3. SMT. P. VANITHA
D/O D PURUSHOTHAMA REDDY
W/O. RAMU
AGED ABOUT 38 YEARS,
R/AT NO.355, 3RD CROSS,
1ST MAIN ROAD, MARUTHINAGAR,
MARIYAPPA LAYOUT,
SANJAYNAAGAR POST, RMV 2ND STAGE,
BENGLAURU - 560 094.

4. SMT. P. BHAGYALAKSHMI
D/O D. PURUSHOTHAMA REDDY
W/O SUDHAKAR REDDY
AGED ABOUT 43 YEARS,
R/AT NO.16, PADMAVATHI NILAYA,
1ST FLOOR, 1ST CROSS, GOVINDAPPA LAYOUT,
NAGASHETTYHALI, BENGALURU - 560 094.

…RESPONDENTS

(BY SRI. RAJESH D.M., ADVOCATE FOR R1)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 05.02.2022 PASSED ON I.A.NO. 1 IN O.S.NO. 137/2021 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., DEVANAHALLI, ALLOWING THE APPLICATION FILED UNDER ORDER 39 RULE 1 AND 2 OF CPC.

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 07.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 14