HC-KAR

CNR: KAHC010421802025

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. 4840 OF 2025 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 4841 OF 2025 (CPC)

IN MFA No. 4840/2025

BETWEEN:

M/S. MANGO DEVELOPERS
REGISTERED PARTNERSHIP FIRM,
HAVING OFFICE AT GOYAL HOUSE,
OPPOSITE KARNAVATI, CLUB, S.G. HIGHWAY,
AHMEDABAD, GUJARAT - 380 015,
REPRESENTED BY AUTHORISED SIGNATORY,
MR. GAJANAND SITARAM GUPTA.

...APPELLANT

(BY SRI. ANKIT A. MISHRA, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. MR. BHADRINATH KARPOOR
S/O GOPAL RAO KAPOOR,
AGED ABOUT 69 YEARS,
R/AT HOUSE NO. 64/2 1ST MAIN,
ROAD, NEAR BATA SHOWROOM
CHAMARAJPET, BENGALURU - 560 018.
REPRESENTED BY GPA HOLDER
CHANDRASHEKHAR S.C
S/O CHIKKAMOGA GOWDA

AGED ABOUT 40 YEARS
R/A NO. 2329, 2ND B MAIN,
NISARGA NILAYA, KANAKADASANAGARA
NAGARA, PATTAGALI, MYSORE - 570 023.

2. MR. PENMATCHA RAJA GOPALA RAJU,
S/O LATE P. LAKSHMIPATHI RAJU
AGED ABOUT 77 YEARS,
R/AT PLOT NO. 1056/B
ROAD NO. 45, JUBILEE HILLS
HYDERABAD, TELANGANA - 500 033.

3. MR. PENMATCHA VENKATAPATHI RAJU
(AKA MR. P.V. RAJU)
S/O LATE P. LAKSHMIPATHI RAJU
AGED ABOUT 66 YEARS,
R/AT H-8-2-293/A/540 ROAD
NO. 45, JUBILEE HILLS
HYDERABAD, TELANGANA - 500 033.

4. MRS. PENMATCHA CHANDANA
(AKA MS. P. CHANDANA)
S/O LATE P. RAJA GOPAL RAJU,
AGED ABOUT 49 YEARS,
R/AT PLOT NO. 1056/B,
ROAD NO. 45, JUBILEE HILLS,
HYDERABAD, TELANGANA - 500 033.

5. MRS. ALLURI SHYAMA
(ALSO KNOWN AS MRS. A. SHYAMA)
W/O A.S.N RAJU,
AGED ABOUT 62 YEARS,
RESIDING AT PLOT NO. 283,
ROAD NO. 25, JUBILEE HILLS

SHAIKPET, HYDERABAD,
TELANGANA - 500 033.

6. MRS. ALURI SUCUNA
(ALSO KNOWN AS MRS. A SUGUNA),
W/O A.A.V RANGARAJU,
AGED ABOUT 64 YEARS,
RESIDING AT PLOT NO. 174,
ROAD NO. 13, JUBILEE HILLS
SHAIKPET HYDERABAD,
TELANGANA - 500 033.

7. MRS. ALLURI ARUNDHATI
(ALSO KNOWN AS MRS.A. ARUNDHAATI)
W/O RAJU,
AGED ABOUT 57 YEARS,
RESIDING AT PLOT NO. 564
ROAD NO. 31, JUBILEE HILLS,
HYDERABAD, TELANGANA - 500 033.

8. MR. N. REDDEAPPA REDDY
S/O. N. MUNIRATHNAM REDDY,
AGED ABOUT 54 YEARS

9. MRS. SUSHMA REDDY,
W/O REDDEAPPA REDDY,
AGED ABOUT 50 YEARS,

10. MRS. NIRMALA REDDY,
W/O. C. N. MADAVA REDDY,
AGED ABOUT 35 YEARS,

DEFENDANT NO.8 TO 10 ARE
RESIDING AT NO. 401,

"SAI KRUPA HEERA", 1ST MAIN,
BHUVANESHWARI NAGAR
BANGALORE - 560 093.

11. MR. SRINIVAS SIMHADRI,
S/O. SURYA RAO SIMHADRI,
AGED ABOUT 43 YEARS,
RESIDING AT NO. 39, 3RD CROSS,
PRASHANTHNAGAR, DEVANHALLI TOWN,
BANGALORE RURAL DISTRICT - 562 110.

12. MR. ANNE SUBHAS CHANDRA BOSE,
S/O. ANJAIAH
AGED ABOUT 83 YEARS,
RESIDING AT MUDDANNUR VILLAGE,
UUYYUR MANDALAM, KRISHNA DISTRICT,
ANDRA PRADESH - 521 165.

13. SMT. ANITHA SAKURU,
W/O. RAGUVEER SAKURU
AGED ABOUT 53 YEARS,
RESIDING AT NO. B-35,
ROAD NO. 9, FILIM NAGAR,
JUBLIEE HILLS, HYDERABAD - 500 033.

14. MR. G. TIMMAIAH,
S/O. LATE VENKATAPPA,
MAJOR IN AGE,
RESIDING AT NO. B-35,
ROAD NO. 9. FILIM NAGAR,
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15. MR. ANNA SUBHASH,
S/O. ANNE ANJINAYYA,

AGED ABOUT 72 YEARS,
RESIDING AT NO. B-35,
ROAD NO. 7 AND 10,
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HYDERABAD - 500 033.

16. SRI. D. K. VENUGOPALA,
S/O. M. KRISHNAPPA,
AGED ABOUT 53 YEARS,
RESIDING AT CROSS ROAD,
DEVANAHALLI TOWN,
BANGALORE RURAL DISTRICT - 562 110.

17. SRI. M. SHAMANNA,
S/O. LATE MUNISHAMAPPA,
AGED ABOUT 95 YEARS,

18. SRI. MUNIRAJU,
S/O. M. SHAMANNA,
AGED ABOUT 55 YEARS,

19. SRI. MUNIKRISHNA,
S/O. M. SHAMANNA,
AGED ABOUT 50 YEARS,

20. SRI. KEMPAIAH,
S/O. LATE MUNISHAMAPPA,
AGED ABOUT 99 YEARS,

21. SMT. MUNITHAYAMMA,
S/O. KEMPAIAH,
AGED ABOUT 68 YEARS,

22. SRI. K. NARAYANASWAMY,

S/O. KEMPALAH,
AGED ABOUT 61 YEARS,

23. SRI. PILLAMUNISHAMAPPA,
S/O. KEMPAIAH,
AGED ABOUT 57 YEARS,

24. SRI. D. K. MANJUNATH,
S/O. KEMPAIAH,
AGED ABOUT 52 YEARS,

DEFENDANT NO.17 TO 24 ARE
RESIDING AT DASARAHALLI VILLAGE,
KASABA HOBLI, DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT - 562 110.

25. SRI. CHIKKANARAYANASWAMY,
S/O. MUNISHAMAPPA,
AGED ABOUT 52 YEARS,
RESIDING AT AVATHI VILLAGE,
KASABA HOBLI, DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT - 562 110.

26. SMT. CHINNAMMA,
W/O. LATE LAKSHMAIAH REDDY,
AGED ABOUT 92 YEARS,
RESIDING AT NO. 19,
GAYATHRI DEVI PARK EXTENSION,
VYALIKAVAL, BANGALORE - 560 003.

27. SRI. RAMESH,
S/O. LATE RAMAIAH,
AGED ABOUT 87 YEARS.
RESIDING AT BALLEGERE VILLAGE,

BG PURA HOBLI, MALAVALLI TALUK,
MANDYA - 571 421.

…RESPONDENTS

(BY SRI. MANJUNATH G. KANDEKAR, ADVOCATE FOR C/R1;
VIDE ORDER DATED 16.07.2025, R2 TO R27 IS
DISPENSED WITH)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 24.06.2025 PASSED ON I.A.NO.II IN OS.NO. 163/2025 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, ALLOWING THE I.A.NO.2 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

IN MFA NO. 4841/2025

BETWEEN:

M/S MANGO DEVELOPERS
REGISTERED PARTNERSHIP FIRM,
HAVING OFFICE AT GOYAL HOUSE,
OPPOSITE KARNAVATI, CLUB,
S.G. HIGHWAY, AHMEDABAD,
GUJARAT - 380 015
REPRESENTED BY AUTHORISED SIGNATORY
MR. GAJANAND SITARAM GUPTA.

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MANDYA - 571 421.

...RESPONDENTS

(VIDE ORDER DATED 16.07.2025, NOTICE TO R2 TO R27 IS DISPENSED WITH)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DT.24.06.2025 PASSED ON I.A.NO.VII IN OS.NO.163/2025 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, DISMISSING THE I.A.NO.7 FILED UNDER ORDER 39 RULE 4 R/W SEC.151 OF CPC.

THESE APPEALS, COMING ON FOR ADMISSION, 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 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 these matters before the District Court on **16.12.2026**.

vi) As an interim order is granted by this Court, the same shall continue till disposal of the application before the District Court. No opinion is expressed by this Court.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS
List No.: 1 Sl No.: 35