HC-KAR

NC: 2026:KHC:60145
MFA No. 8245 of 2019

CNR: KAHC010441882019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8245 OF 2019 (CPC)

BETWEEN:

SMILEE GREENS PLANTERS ASSOCIATION
A SOCIETY REGISTERED UNDER THE KARNATAKA
SOCIETIES REGISTRATION ACT 1960
HAVING ITS REGISTERED OFFICE AT:
SMILEE GREENS,
GOOOLIMANGALA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE - 560 039

REPRESENTED BY ITS AUTHORIZED SIGNATORY
SRI. K.M. **JAYAMALLAIAH**
C/O. K. MANJAPPA
R/AT NO.A 51 SMILEE GREEN
GOOLIMANGALA VILLAGE
SARJAPURA HOBLI, ANEKAL TALUK
BENGALURU - 560 055

...APPELLANT

(BY SRI. ROHAN KOTHARI, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SH. V. NARASANA GOWDA
AGED ABOUT 43 YEARS,
S/O V DODDAPPA,
R/O NO.E202,
ADARSH RAYTHM APARTMENTS
OFF BANNERGHATTA ROAD,

PANDURANGANAGAR,
BANGALORE - 560 076

2. SH. V. PRAKASH
AGED ABOUT 41 YEARS,
S/O V. DODDAPPA,
R/O B403, ADARSH RAYTHM APARTMENTS
OFF BANNERGHATTA ROAD, PANDURANGANAGAR,
BANGALORE - 560 076

3. SH. V. MANJUNATH
AGED ABOUT 53 YEARS,
S/O V DODDAPPA,
R/O A4-904,
ELITA PROMENADE,
PUTTENAHALLI,
J P NAGAR, 7TH PHASE,
BANGALORE - 560 078

4. SH. SHALABH SHANKER MISHRA
AGED ABOUT 46 YEARS,
S/O UMA SHANKER MISHRA,
R/O NO.28, SILVER SPRINGS LAYOUT,
(BEHIND YASHOMATI HOSPITAL)
MUNEKOLLALA MARATHAHALLI,
BENGALURU - 560 037

5. SH. N. SHEKAR
AGED ABOUT 42 YEARS,
S/O NARAYANAPPA,
R/O NO.27, SOUTH VILLAGE,
KASABA HOBLI, ANEKAL TALUK,
BANGALORE DISTRICT.

PRESENTLY RESIDING AT
NO.A-37, SMILEE GREENS,
NEAR ESTATE CLUB,
HUSKURU ROAD,
GOOLIMANGALA VILLAGE,
ANEKAL TALUK,
BANGALORE - 560 099

6. SH. BASAVA REDDY
AGED ABOUT 59 YEARS,
S/O VENKATARAMANAPPA,
R/O GOOLIMANGALA VILLAGE,
SARJAPURA HOBLI ANEKAL TALUK,
BANGALORE - 560 099
7. SH M V CHANDRASHEKHAR
AGED ABOUT 77 YEARS,
S/O M L VASUDEV MURTHY,
HAVING OFFICE AT: NO.206,
2ND FLOOR, BRIGADE M M ANNEXE,
M M INDUSTRIAL ESTATE,
YEDIYUR, K R ROAD,
BANGALORE - 560 070
8. SH M C INDUMOULI
AGED ABOUT 51 YEARS,
S/O M V CHANDRASHEKAR,
HAVING OFFICE AT:
NO.206, 2ND FLOOR,
BRIGADE M M ANNEXE,
M M INDUSTRIAL ESTATE,
YEDIYUR, K R ROAD,
BANGALORE - 560 070

9. SH K NARAYANASWAMY
PRESIDENT SC/ST BRANCH/WING,
JANATHA DAL SECULAR PARTY,

BANGALORE URBAN DISTRICT,
NO.60, RAJARAM MOHAN ROY ROAD,
4TH MAIN ROAD, ASHWATH NAGAR,
SAMPANGI RAMA NAGAR,
BANGALORE - 560 027
ALSO AT:
M/S KNS SHISTA APPARELS,
MARUTHI LAYOUT,
BEHIND INSPECTION BUNGALOW,
ANEKAL TOWN, BANGALORE - 562 106

…RESPONDENTS

(BY SRI. ZULFIKIR KUMAR SHAFI, ADVOCATE FOR R1 TO R4
SRI. H.P. LEELADHAR, ADVOCATE FOR R5)

THIS MFA IS FILED U/O. 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 05.07.2019, PASSED ON IA IN O.S. NO.261/2019, ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC., ANEKAL, DISPOSING 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 30.11.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 30