HC-KAR

NC: 2026:KHC:61842
MFA No. 6737 of 2022

CNR: KAHC010447442022

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. 6737 OF 2022 (CPC)

BETWEEN:

SRI RAMESH B M
S/O SRI MUNIBYRAPPA
AGED ABOUT 36 YEARS,
R/AT BOLAMARANAHALLI,
KASABA HOBLI,
NELAMANGALA TALUK,
BANGALORE RURAL DISTRICT
PIN - 562 123.

...APPELLANT

(BY SRI. KUMARASWAMY M., ADVOCATE)

AND:

SRI KRISHNASWAMY M.
S/O LATE D.M. MUNIYAA
AGED ABOUT 83 YEARS,
R/AT NO.907, 6TH MAIN,
VIJAYANAGARA,
BANGALORE - 560 040.

...RESPONDENT

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 19.08.2022 PASSED ON I.A. NO. 2 IN O.S.NO. 716/2021 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., NELAMANGALA,

ALLOWING I.A. NO.2 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 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.: 7