HC-KAR

NC: 2026:KHC:61721
MFA No. 6738 of 2022

CNR: KAHC010449322022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 6738 OF 2022 (CPC)

BETWEEN:

1. SMT.SIDDAGANGAMMA
   W/O LATE GANGANNA
   AGED ABOUT 65 YEARS

2. RAMESHA
   S/O LATE GANGANNA
   AGED ABOUT 42 YEARS

3. SRI RAGNANATHA
   S/O LT GANGANNA
   AGED ABOUT 35 YEARS
   RA/T BETTADAHOSAHALLI VILLAGE
   NARASIPRUA POST, SOMPURA HOBLI
   NELAMANGALA TALUK
   BENGALURU RURAL DIST - 562 123

...APPELLANTS

(BY SRI. T. SESHAGIRI RAO, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SMT.K.G.SHARADAMMA
   D/O LT GANGANNA
   AGED ABOUT 40 YEARS
   RA/T BETTADAHOSAHALLI VILLAGE
   NARASIPRUA POST, SOMPURA HOBLI
   NELAMANGALA TALUK
   BENGALURU RURAL DISTRICT - 562 123

2. KUM BHOOMIKA
D/O ARASE GOWDA
AGED ABOUT 19 YEARS
RA/T GOOLAPURA VILLAGE
DODDABELE POST
THAYAMAGONDLU HOBLI
NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 123

3. MASTER KISHORE
S/O ARASE GOWDA
AGED ABOUT 17 YEARS
R/AT GOOLAPURA VILLAGE
DODDABELE PSOT
THYAMAGONDLU HOBLI
NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 123

SINCE THE RESPONDENT NO.2 IS MINOR IS
REPRESENTED BY HIS FATHER AND NATURAL
GUADIAN
SRI ARASE GOWDA
S/O RANGAHANAUMAIAH
RA/T GOOLAPURA VILALGE
DODDABLE POST
THYAMAGONDLU HOBLI
NELAMANGALA TQ
BENGALURU RURAL DISTRICT - 562 123

…RESPONDENTS

(BY SRI. B.M. GUNJAL, ADVOCATE FOR C/R1)

THIS MFA IS FILED U/O. 43 RULE 1(r) OF CPC, AGAINST THE ORDER DT.12.09.2022 PASSED ON IA NO.3 IN O.S.NO.264/2022 ON THE FILE OF THE 1ST ADDITIONAL

SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, ALLOWING IA NO.3 FILED U/O.39 RULE 1 AND 2 R/W SEC.151 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 04.12.2026.

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

RCK
List No.: 1 Sl No.: 24