HC-KAR

CNR: KAHC010449342022

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. 6757 OF 2022 (CPC)

BETWEEN:

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

2. SRI RAMESH
   S/O LATE GANGANNA
   AGED 42 YEARS

3. SRI RANGANATHA
   S/O LATE GANGANANA
   AGED 35 YEARS
   APPELLANT NOS.1 TO 3 ALL ARE
   RA/T BETTADAHOSAHALLI VILALGE
   NARASIPRUA POST
   SOMPURA HOBLI
   NELAMANGALA TQ
   BENGALURU RURAL DISTRICT - 562123

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

...APPELLANTS

(BY SRI. T SESHAGIRI RAO.,ADVOCATE)

AND:

1. SMT.K.G.SHARADAMMA
   D/O LT GANGANNA
   AGED 40 YEARS
   RA/T BETTADAHOSAHALLI VILALGE
   NARASIPRUA POST
   SOMPURA HOBLI
   NELAMANGALA TQ
   BENGALURU RURAL DISTRICT 562123

2. KUMARI BHOOMIKA
   D/O ARASE GOWDA
   AGED 19 YEARS
   R/AT GOOLAURA VILALGE
   DODDABELE POST
   THAYAMGONDLU HOBLI
   NELAMANGALA TQ
   BENGALURUR RURAL DIST 562123

3. MASTER KISHORE
   S/O ARASE GOWDA
   AGED 17 YEARS
   R/AT GOOLAPURA VILLAGE
   DODDABELE POST
   THYMAGONDLU HOBLI
   NELAMAGNALA TQ
   BENGALURUR RURAL DIST 562123

   SINCE R2 IS MINOR REP BY HIS FATHER AND
   NATURAL GUADRIAN SRI ARASE GOWDA
   S/O RANGAHANUMAIAH
   RA/T GOOLAPURA VILLAGE
   DODDABLEE POST

THYAMAGONDLU HOBLI
NELAMANGALA TQ
BENGALURU RURAL DIST 562123

…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.2 IN O.S.NO.264/2022 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, ALLOWING IA NO.2 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.: 25