HC-KAR

NC: 2026:KHC:65105
MFA No. 5791 of 2024

CNR: KAHC010490982024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 5791 OF 2024 (CPC)

BETWEEN:

1. SRI RANGASWAMY
   S/O GANGA RANGAIAH,
   AGED ABOUT 59 YEARS

2. SRI SIDDAGANGAIAH
   S/O GANGA RANGAIAH,
   AGED ABOUT 57 YEARS

3. SRI MUNIRAJU
   S/O GANGA RANGAIAH,
   AGED ABOUT 55 YEARS

   ALL ARE R/AT SHARAPURA VILLAGE,
   BYADARAHALLI DHAKLE, KASABA HOBLI,
   NELAMANGALA TALUK,
   BANGALORE RURAL DISTRICT - 562 123

...APPELLANTS

(BY SRI. SATHISHA D.J., ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. GANGA RANGAIAH
   S/O LATE CHIKKA RANGAIAH,
   AGED ABOUT 85 YEARS

2. SMT BHAGYAMMA
D/O GANGA RANGAIAH,
AGED ABOUT 53 YEARS

3. SMT JAYALAKSHMAMMA
D/O GANGA RANGAIAH,
AGED ABOUT 47 YEARS

4. SMT SUJATHA
D/O GANGA RANGAIAH,
AGED ABOUT 47 YEARS

5. SRI HANUMANTHARAJU
S/O GANGA RANGAIAH,
AGED ABOUT 45 YEARS

6. SRI RANGANATH S
S/O GANGA RANGAIAH,
AGED ABOUT 41 YEARS

ALL ARE R/AT SHARAPURA VILLAGE,
BYADARAHALLI DHAKLE, KASABA HOBLI,
NELAMANGALA TALUK,
BANGALORE RURAL DISTRICT - 562 123

7. SRI N CHANDRASHEKAR SHETTY
S/O K S NARASIMHAIAH SHETTY
AGED ABOUT 67 YEARS
R/AT NELAMANGALA TOWN,
PETE BEEDI, NELAMANGALA TALUK,
BANGALORE RURAL DISTRICT - 562 123

8. SRI B RAMAKRISHNAIAH
S/O DODDABYRAIAH,
R/AT NO 7383, BESIDE BWD OFFICES,

SUBHASH NAGARA MAIN ROAD,
NELAMANGALA TOWN,
NELAMANGALA TALUK,
BANGALORE RURAL DISTRICT - 562 123

…RESPONDENTS

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 22.07.2022 PASSED ON I.A. NO. 1 IN O.S.NO. 574/2021 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, REJECTING I.A. NO.1 FILED UNDER ORDER XXXIX 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 16.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK, List No.: 1 Sl No.: 1