HC-KAR

NC: 2026:KHC:61190
MFA No. 5819 of 2025
C/W MFA No. 5799 of 2025

CNR: KAHC010512152025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 5819 OF 2025 (CPC)
C/W
MISCELLANEOUS FIRST APPEAL NO. 5799 OF 2025 (CPC)

IN MFA No. 5819/2025

BETWEEN:

SRI VENKATASWAMY
S/O DODDADYAVANNA
AGED ABOUT 55 YEARS
R/O IRIGENAHALLI VILALGE
VIJAYAPURA HOBLI - 562 110
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT

...APPELLANT

(BY SRI. VARAPRASAD K., ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

SRI RAMESH C
S/O LATE CHIKKADEVAPPA
AGED ABOUT 54 YEARS
R/O IRIGENAHAHLLI VILLAGE
VIJAYAPURA HOBLI - 562 110
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT

...RESPONDENT

THIS MFA IS FILED U/O.43 RULE 1(r) OF CPC, AGAINST THE ORDER DT.30.06.2025 ON IA NO.2 IN O.S. NO.454/2025 ON THE FILE OF THE III ADDITIONAL SENIOR CIVIL JUDGE

AND JMFC, C/c. II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, ALLOWING IA NO.2 FILED U/O.39 RULE 1 AND 2 OF R/W SEC.151 OF CPC.

IN MFA NO. 5799/2025

BETWEEN:

SRI VENKATASWAMY,
S/O DODDADYAVANNA,
AGED ABOUT 55 YEARS,
R/O IRIGENAHALLI VILLAGE,
VIJAYAPURA HOBLI - 562 110,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT

...APPELLANT

(BY SRI. VARAPRASAD K.,ADVOCATE)

AND:

SRI RAMESH C.,
AGED ABOUT 54 YEARS,
S/O LATE CHIKKADEVAPPA,
R/O IRIGENAHALLI VILLAGE,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT.
VIJAYAPURA HOBLI - 562 110.

...RESPONDENT

THIS MFA IS FILED U/O.43 RULE 1(r) OF CPC, AGAINST THE ORDER DT. 30.06.2025 ON IA NO.1 IN O.S.NO.454/2025 ON THE FILE OF THE III ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, C/c. II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, ALLOWING IA NO.1 FILED U/O.39 RULES 1 AND 2 R/W SEC.151 OF CPC.

THESE APPEALS, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These appeals filed before this Court are 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 these matters to the concerned District Court for adjudication of the matters 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 these matters before the District Court on 03.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 15