HC-KAR

NC: 2026:KHC:64805
MFA No. 5562 of 2026

CNR: KAHC010512412026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 5562 OF 2026 (MC)

BETWEEN:

SRI. SANTHOSHA GANAPATHI NAIKA
S/O GANAPATHI NAIKA
AGED ABOUT 40 YEARS
RESIDING AT BALAGODA VILLAGE,
SIDDAPURA TALUK,
UTTARA KANNADA DISTRICT - 581 355.

...APPELLANT

(BY SRI. MANJUNATH G. KANDEKAR, ADVOCATE)

AND:

SMT. SAVITHA SANTHOSHA NAIKA
W/O SANTHOSHA NAIKA
C/O BASAVANYAPPA,
AGED ABOUT 36 YEARS
R/AT SULLURU VILLAGE, SAGAR TALUK
SHIVAMOGGA DISTRICT - 577 430.

...RESPONDENT

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

THIS MFA IS FILED U/S.28(1) OF HINDU MARRIAGE ACT, AGAINST THE JUDGMENT AND DECREE DATED 25.04.2026 PASSED IN MC NO. 8/2024 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, SAGAR, ALLOWING THE PETITION FILED U/S.13(1)(ia) OF THE HINDU MARRIAGE ACT, 1955.

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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

NMS
List No.: 1 Sl No.: 10