HC-KAR

NC: 2026:KHC:60600
MFA No. 7894 of 2017

CNR: KAHC010513662017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 7894 OF 2017 (CPC)

BETWEEN:

SRI. BALAJI,
S/O LATE VENKATASWAMY,
AGED ABOUT 52 YEARS,
R/AT NO.54, 15TH CROSS,
4TH SECTOR, HSR LAYOUT,
BENGALURU - 560 102.

...APPELLANT

(BY SRI. G.S.PATIL, ADVOCATE)

AND:

1. SUMUKHA SHELTERS,
NO.568, 11TH MAIN,
31ST CROSS, 4TH BLOCK,
JAYANAGAR,
BENGALURU - 560 011.

REPRESENTED BY ITS
MANAGING PARTNER
SRI V.MALLIK REDDY.

2. S.ASHOK REDDY,
S/O RAGHURAMI REDDY,
AGED ABOUT 49 YEARS,
R/AT NO.136, 4TH MAIN,
POORNA PRAJNA LAYOUT,
II STAGE, BANASHANKARI,
BENGALURU - 560 085.

3. SRI.VENKADHARA CHINNAPULLAYYA,
S/O THIRUBALAIAH,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AGED ABOUT 45 YEARS,
R/AT YMR COLONY, PRODDAPUR,
ANDHRA PRADESH - 516 360.

4. SRI.M.V.LAKSHMIPRASAD,
S/O VENKATSUBBAIAH,
AGED ABOUT 47 YEARS,
R/AT NO.27/1541, LR RESIDENCY,
II FLOOR, ADITYANAGAR,
NELLORE, ANDHRAPRADESH - 524 001.

5. SRI.G.LAKSHMINARAYANA,
S/O NARAYANAPPA,
AGED ABOUT 48 YEARS,
NEAR MANJU LODGE,
DHARMAVARAM,
ANANTHAPURA DISTRICT,
ANDHRA PRADESH - 515 671.

6 SRI.J.PULLAMNAIDU,
S/O SRI RAMULU,
6(a) SINCE DEAD BY HIS LRS

SMT.JAKKAMPOTI CHENNAMMA,
MOTHER OF LATE J.PULLAMNAIDU,
AGED ABOUT 77 YEARS,

6(b) SMT.JAKKAMPOTI LAKSHMINARASAMMA,
W/O LATE J.PULLANAIDU,
AGED ABOUT 51 YEARS,

6(c) SRI.JAKKAMPOTI VAMSHIKRISHNA,
S/O LATE J.PULLANAIDU,
AGED ABOUT 27 YEARS,

6(d) SRI.JAKKAMPOTI JHANSIRANI,
D/O LATE J.PULLANAIDU,
AGED ABOUT 26 YEARS,

RESPONDENTS NO.6(a) TO 6(d) ARE

R/AT NO.2/650, KHADRI ROAD,
BATHLAPALLI MANDAL,
ANANTHPUR DISTRICT,
SEEMANDHRA STATE - 515 661.

7. SRI.A.KIRANKUMAR,
S/O PANIRAJU,
AGED ABOUT 43 YEARS,
R/AT OLD NO.14/161,
NEW NO.14/233,
KAMALANAGAR,
ANANTHAPUR DISTRICT,
ANDRA PRADESH - 515 001.

…RESPONDENTS

(BY SRI. S. SUDARSANA REDDY, ADVOCATE FOR C/R7;
R4 & R5 ARE SERVED AND UNREPRESENTED)

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(R) OF CPC, PRAYING TO SET ASIDE THE ORDER DATED 15.04.2016 PASSED ON I.A.NO.10 IN O.S.NO.466/2009 BY THE SENIOR CIVIL JUDGE, & JMFC, ANEKAL.

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) Since the parties are represented before this Court, they shall appear before the learned District Judge on **30.11.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 2