HC-KAR

CNR: KAHC010533942025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 6029 OF 2025 (CPC)

BETWEEN:

1. SMT. PARVATHAMMA
   AGED ABOUT 78 YEARS,
   W/O LATE MAREGOWDA,

2. SRI SOMEGOWDA,
   AGED ABOUT 51 YEARS,
   S/O LATE MAREGOWDA,

3. SMT.SAVITHRAMMA,
   AGED ABOUT 45 YEARS,
   W/O SOMEGOWDA,

4. SMT. SUNANDA,
   AGED ABOUT 49 YEARS,
   D/O LATE MAREGOWDA,

5. SMT. VINODHA
   AGED ABOUT 47 YEARS,
   D/O LATE MAREGOWDA,

6. SRI DODDEGOWDA,
   AGED ABOUT 45 YEARS,
   S/O LATE MAREGOWDA,

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7. SMT.SAVITHA,
AGED ABOUT 39 YEARS,
W/O DODDEGOWDA,

8. SRI MANJA,
AGED ABOUT 50 YEARS,
S/O LATE MAREGOWDA,

9. SMT.RAMYA,
AGED ABOUT 41 YEARS,
W/O MANJA,

ALLL ARE R/AT BANDE DODDI VILLAGE,
AREKOPPA DAKALE,
UYYAMBALLI HOBLI,
KANAKAPURA TALUK,
RAMANAGARA DISTRICT.
PIN CODE NO. - 562 117.

…APPELLANTS

(BY SRI. RAJA L., ADVOCATE)

AND:

SMT. NAGALINGAMMA
AGED ABOUT 60 YEARS,
W/O GURUSIDDEGOWDA,
R/O SHIVANEGOWDANADODDI VILLAGE,
AREKOPPA DHAKLE, UYYAMBALLI HOBLI,
KANAKAPURA TALUK, RAMANAGARA DISTRICT.
PIN CODE NO. - 562 117.

…RESPONDENT

(BY SRI. BASAVANNA M.D., ADVOCATE)

THIS MFA IS FILED U/O. 43 RULE 1(d) OF THE CPC, AGAINST THE ORDER DT. 09.04.2025 PASSED IN

MISC.NO. 6/2023 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, KANAKAPURA, DISMISSING THE PETITION FILED UNDER ORDER 9 RULE 13 R/W SECTION 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 30.11.2026.

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.: 36