HC-KAR

NC: 2026:KHC:65134
MFA No. 6806 of 2023

CNR: KAHC010540852023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 6806 OF 2023 (CPC)

BETWEEN:

SRI. S.R. MANIKANTA
AGED ABOUT 41 YEARS
S/O LATE S.M. RAMA MURTHY
R/AT NO.8, 2ND MAIN,
BEERESHWARA NAGAR,
CHUNCHUGATTA ROAD
KONANAKUNTE, BENGALURU - 560 062.

...APPELLANT

(BY SRI. SHAMANNA B.H, ADVOCATE)

AND:

1. SRI. K. N. SHREYAS
   S/O K.K. NAGENDRA PRASAD
   AGED ABOUT 35 YEARS,

2. SRI. K.N. TEJAS
   S/O K.K. NAGENDRA PRASAD
   AGED ABOUT 33 YEARS,

3. SRI. K.N. YESHAS
   S/O K.K. NAGENDRA PRASAD
   AGED ABOUT 29 YEARS,

   RESPONDENTS NO.1 TO 3 ARE
   R/AT NO.9, SESHADRI ROAD,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

BENGALURU - 560 009,
REPTD. BY THEIR GPA HOLDER
SRI. K.S. BRIJ MOHAN
S/O K.L. SWAMY.

4. SRI. K.B. RAMAKRISHNA REDDY
S/O K.S. BY REDDY
AGED ABOUT 50 YEARS,
R/AT NO.14, 2ND CROSS,
JAIBHEEMANAGAR,
BTM 1ST STAGE, OLD MADIWALA
BENGALURU - 560 068.

5. SMT. B.V. VEENA
W/O K.B. RAMAKRISHNA REDDY
AGED ABOUT 39 YEARS,
R/AT NO.14, 2ND CROSS,
JAIBHEEMANAGAR,
BTM 1ST STAGE, OLD MADIWALA
BENGALURU - 560 068.

…RESPONDENTS

(BY SRI. HARIDASS BHAT V, ADVOCATE)

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 13.09.2023 PASSED ON I.A.NO.1 IN OS.NO.115/2022 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING THE I.A.NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 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 **17.12.2026.**

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

NMS
List No.: 1 Sl No.: 22