HC-KAR

NC: 2026:KHC:60630
MFA No. 8194 of 2022

CNR: KAHC010560802022

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. 8194 OF 2022 (CPC)

BETWEEN:

SRI. S. SRINIVASAIAH,
SON OF LATE SIDDAPPA,
AGED ABOUT 72 YEARS,
RESIDING AT SIDDAPURA,
RAMAGONDANAHALLI (POST),
VARTHUR HOBLI,
BENGALURU EAST TALUK,
BENGALURU - 560 066.

...APPELLANT

(BY SRI. V.B.SHIVA KUMAR., ADVOCATE)

AND:

1. SRI. SHIVAKUMAR,
   S/O LATE RAMAIAH S,
   AGED ABOUT 45 YEARS,
   SIDDAPURA,
   RAMAGONDANAHALLI (POST),
   VARTHUR (HOBLI),
   BENGALURU EAST TALUK,
   BENGALURU DISTRICT,
   BENGALURU - 560 066.

2. SRI. NARAYANASWAMY,
   S/O LATE RAMAIAH S,
   AGED ABOUT 40 YEARS,
   SIDDAPURA,
   RAMAGONDANAHALLI (POST),
   VARTHUR (HOBLI),
   BENGALURU EAST TALUK,
   BENGALURU DISTRICT,

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Location: HIGH COURT OF KARNATAKA

BENGALURU - 560 066.

3. SRI. MALLESH,
S/O LATE RAMAIAH S,
AGED ABOUT 34 YEARS,
SIDDAPURA, RAMAGONDANAHALLI (POST),
VARTHUR (HOBLI),
BENGALURU EAST TALUK,
BENGALURU DISTRICT - 560 066.

4. SRI. KRISHNAPPA,
SINCE DECEASED BY HIS LRS

SRI SURESH.S.K.,
S/O KRISHNAPPA,
AGED ABOUT 49 YEARS,
NO.225, SIDDAPURA,
WHITEFIELD POST,
VARTHUR MAIN ROAD,
BENGALURU - 560 066.

5. SRI. SUJANALA,
S/O KRISHNAPPA,
AGED ABOUT 47 YEARS,
NO.225, SIDDAPURA,
WHITEFIELD POST,
VARTHUR MAIN ROAD,
BENGALURU - 560 066.

6. SRI. MANJUNATH.S.K.,
S/O KRISHNAPPA,
AGED ABOUT 42 YEARS,
NO.225, SIDDAPURA,
WHITEFIELD POST,
VARTHUR MAIN ROAD,
BENGALURU - 560 066.

7. SRI. ROHINI,
S/O LATE RAMAIAH S,
AGED ABOUT 32 YEARS,

SIDDAPURA,
RAMAGONDANAHALLI (POST),
VARTHUR (HOBLI),
BENGALURU EAST TALUK,
BENGALURU DISTRICT - 560 066.

8. SMT. MALA,
W/O SRI RAMA,
AGED ABOUT 34 YEARS,
DODDA EGALUR VILLAGE,
KODENUR (POST), MALLUR (TALUK),
KOLAR DISTRICT,
KOLAR - 563 130.

9. SMT. CHANDRAMMA,
W/O SANJEEVA MURTHY,
AGED ABOUT 54 YEARS,
DODDA EGALUR VILLAGE,
KODENUR (POST),
MALLUR (TALUK),
KOLAR DISTRICT,
KOLAR - 563 130.

10. SMT. VARALAKSHMI,
W/O JUNJAPPA,
AGED ABOUT 49 YEARS,
RESIDING AT DODDAKALALI,
KUDENUR (POST), MALUR (TALUK),
KOLAR DISTRICT,
KOLAR - 563 130.

11. SRI. N. RAMAMURARI NAIDU,
S/O SRI.NAKKA NEELAKANTHAM,
AGED ABOUT 46 YEARS,
KHILAMUNDA,
AKHUSINGI POST OFFICE,
PADMAPUR, RAYAGADA DISTRICT,
ODISHA - 765 025.

ALSO AT

SRI. N. RAMAMURARI NAIDU,
S/O SRI. NAKKA NEELAKANTHAM,
AGED ABOUT 46 YEARS,
NO.14, CHAITHANYA LAGROVE,
KUNDALAHALLI,
BENGALURU - 560 037.

12. SMT. SHARADAMMA,
W/O LATE KRISHNAPPA,
AGED ABOUT 79 YEARS,
NO.225, SIDDAPURA,
WHITEFIELD POST,
VARTHUR MAIN ROAD,
BENGALURU - 560 066.

…RESPONDENTS

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(R) OF CPC, PRAYING TO SET ASIDE THE ORDER DATED 02.11.2022 PASSED ON I.A.NO.2 IN O.S.NO.334/2020 BY THE PRINCIPAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU.

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) 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.: 26