HC-KAR

NC: 2026:KHC:60938
MFA No. 8203 of 2022

CNR: KAHC010561922022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8203 OF 2022 (CPC)

BETWEEN:

1. MR. N. RAMESH
   AGED ABOUT 46 YEARS
   SON OF LATE NARAYANAPPA

2. MR. N. KAVERAPPA
   AGED ABOUT 52 YEARS
   S/O LATE NARAYANAPPA

   BOTH ARE AT MULLUR VILLAGE,
   CARMALARAM POST, VARTHUR HOBLI,
   BANGALORE EAST TALUK
   BANGALORE - 560 035.

...APPELLANTS

(BY SRI. CHANDRAIAH H.S, ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

MRS. SUMITHRA
AGED ABOUT 43 YEARS
WIFE OF LATE MAHESH
RESIDING AT NO. 55
NEAR ANJANEEYA TEMPLE,
THIRUMALASETTIHALLI,
BANGALORE RURAL DISTRICT
BANGALORE - 560 067.

...RESPONDENT

(BY SRI. PIYUSH KUMAR JAIN D, ADVOCATE)

THIS MFA IS FILED U/O XLIII RULE 1(r) OF CPC, AGAINST THE ORDER DT.19.08.2022 PASSED ON IA NO.1 IN O.S.NO.904/2022 ON THE FILE OF THE I ADDITIONAL SENIOR

CIVIL JUDGE, BENGALURU RURAL DISTRICT, ALLOWING IA NO.1 FILED U/O.39 RULES 1 AND 2 R/W SEC.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) Since the parties are represented before this Court, they shall appear before the learned

District Judge on **01.12.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 37