HC-KAR

NC: 2026:KHC:59999
MFA No. 6389 of 2025

CNR: KAHC010566442025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 6389 OF 2025 (CPC)

BETWEEN:

1. MRS. ANNAPURANA
WIFE OF MR. H. M. NAGARAJAIAH
DAUGHTER OF
LATE MR. C. VEERBHADRAIAH
AGED ABOUT 79 YEARS
RESIDING NO. 208, 2ND BLOCK
3RD STAGE, 3RD D CROSS
BASAVESHWARANAGAR
NEAR SHANBOGH NURSING HOME
BENGALURU - 560 079.

2. MRS. VIMALABASAVARAJU
WIFE OF DR.BASAVARAJU
DAUGHTER OF
LATE MR.C.VEERABHDRAIAH
AGED ABOUT 75 YEARS
RESIDING AT NO.24
HIG, KHB COLONY
2ND STAGE, BASAVESHWARANAGAR
BENGALURU - 560 079.

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Location: HIGH COURT OF KARNATAKA

3. MRS. VISHALACHANDRASHEKHAR
WIFE OF DR.CHANDRASHEKHAR
DAUGTHER OF LATE C VEERBHADRAIAH
AGED ABOUT 71 YEARS
RESIDING AT NO.30/41, 15TH MAIN
13TH CROSS, PADMANABHNAGAR
BENGALURU - 560 070.

4. MRS. RENULOKESH
WIFE OF MR. B.S. LOKESHAIAH

DAUGHTER OF
LATE MR. C. VEERABHDRAIAH
AGED ABOUT 66 YEARS
RESIDING AT 271, 1 MAIN
9TH CROSS, 9TH BLOCK
NAGARBHAVI, BENGALURU - 560 072.

5. MRS. SHANTHASUDHIR
WIFE OF SUDHIR B.S
DAUGHTER OF
LATE MR. C. VEERABHDRAIAH
AGED 64 YEARS
RESIDING AT KUMBARAHALLI
ESTATE AND POST
VIA YESLUR, SAKESHPUR
HASSAN DISTRICT - 573 134.

6. MRS. CHANDINI R. UDAY,
DAUGHTER OF
LATE C. VEERABHADRAIAH
WIFE OF MR. RAJA UDAYSHANKAR
AGED 60 YEARS,
RESIDING AT 457, 9TH CROSS
1ST BLOCK, JAYANAGAR
BENGALURU - 560 011.

7. MS. ESHA VISHWANANTH
DAUGHTER OF
LATE MR. C.V VISHWANATH
GRAND DAUGHTER OF
LATE MR. C. VEERABHDRAIAH
AGED 34 YEARS,
RESIDING AT NESARA BLUE BUILDING
OPPOSITE GOVERNMENT
HIGH SCHOOL GROUND
IMMADIHALLI, WHITEFIELD POST
BANGALORE - 560 066.

…APPELLANTS

(BY SRI. AJITH A. SHETTY, ADVOCATE)

AND:

MR. SHIVAPRAKASH @ MANJUNATH
SON OF LATE C. VEERABHADRAIAH
AGED ABOUT 61 YEARS
RESIDING AT RENUKA
ROLLER FLOUR MILLS,
B.H. ROAD, TUMKUR - 572 103.

…RESPONDENT

(BY SRI. N. SRIDHAR, ADVOCATE)

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(R) OF CPC, PRAYING TO SET ASIDE THE ORDER DATED 28.04.2025 PASSED ON I.A.NO.1 IN OS.NO.350/2019 BY THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MAGADI AND ETC.

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;

vi) Interim order granted in the present appeal shall continue until further orders by the learned District Judge.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 37