HC-KAR

NC: 2026:KHC:60983
MFA No. 8322 of 2022

CNR: KAHC010566762022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8322 OF 2022 (CPC)

BETWEEN:

1. SMT. NARASAMMA
   W/O LATE RAMAIAH
   AGED ABOUT 80 YEARS
   R/A BARAGENAHALLI VILLAGE
   SOMPURA HOBLI,
   NELAMANGALA TALUK,
   BENGALURU RURAL DISTRICT - 562 111.

2. SRI. KRISHNAPPA
   S/O LATE BYLAPPA
   AGED ABOUT 67 YEARS
   R/A BARAGENAHALLI VILLAGE
   SOMPURA HOBLI
   NELAMANGALA TALUK
   BENGALURU RURAL DISTRICT - 562 111.

3. SRI. ANJINAPPA
   S/O LATE BYLAPPA
   AGED ABOUT 66 YEARS
   R/A BARAGENAHALLI VILLAGE
   SOMPURA HOBLI
   NELAMANGALA TALUK
   BENGALURU RURAL DISTRICT - 562 111.

4. SRI. MAHADEVAIAH
   S/O LATE BYLAPPA
   AGED ABOUT 57 YEARS
   R/A BARAGENAHALLI VILLAGE
   SOMPURA HOBLI
   NELAMANGALA TALUK,
   BENGALURU RURAL DISTRICT - 562 111.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

5. SRI. MAHESHA M
S/O MAHADEVAIAH
AGED ABOUT 29 YEARS
R/A NO.806, 6TH MAIN ROAD
4TH CROSS, KAMALANAGARA
BENGALURU - 560 079.

6. SRI. PUNITH
S/O RAJANNA
AGED ABOUT 29 YEARS
R/A NO.806, 6TH MAIN ROAD
4TH CROSS, KAMALANAGARA
BENGALURU - 560 079.

7. SRI. GANGADHRA
S/O ANJINAPPA
AGED ABOUT 44 YEARS
R/A BARAGENAHALLI VILLAGE
SOMPURA HOBLI, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 111.

8. SRI. CHIKKANNA
S/O KRISHNAPPA
AGED ABOUT 40 YEARS
R/A BARAGENAHALLI VILLAGE
SOMPURA HOBLI, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 111.

…APPELLANTS

(BY SRI. T.K. RAJAGOPALA, ADVOCATE)

AND:

1. SRI. MALLIKARJUNAIAH
ALSO CALLED AS SRI. G. MALLIKARJUNA
S/O GANGANNA
AGED ABOUT 56 YEARS
R/A BARAGENAHALLI VILLAGE
SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT - 562 111.

ALSO R/A NO.179, IST FLOOR
5TH MAIN, ITI LAYOUT
NAGARBHAVI 2ND STAGE
BENGALURU - 560 056.

2. SRI. B.R. RAGHAVENDRA
S/O LATE BASAVARAJAIAH
AGED ABOUT 43 YEARS
R/A MACHANAHALLI
BILLANAKOTTE, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 111.

3. SRI. M.D. MAHESH
S/O LATE T.V. DEVARAJU
AGED ABOUT 39 YEARS
R/A NO.10, THIRUMALA MAIN ROAD
THIRUMALA, MAGADI TOWN - 562 120.

…RESPONDENTS

(BY SRI. H.V. DEVARAJU, ADVOCATE FOR C/R1 TO C/R3)

THIS MFA IS FILED U/O XLIII RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 19.11.2022 PASSED ON I.A.NO.1 IN OS.NO.233/2021 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, ALLOWING THE I.A.NO.I FILED UNDER ORDER 39 RULE 1 AND 2 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) Since the parties are represented before this Court, they shall appear before the learned District Judge on **02.12.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 29