HC-KAR

NC: 2026:KHC:60687
MFA No. 6985 of 2026

CNR: KAHC010663222026

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. 6985 OF 2026 (MC)

BETWEEN:

SMT. VINUTHA
W/O. CHANDRASHEKARA R.
D/O. GOPALAPPA, RETIRED TEACHER
AGED ABOUT 35 YEARS
R/AT MAYAGANHALLI VILLAGE
MADAKASIRA TALUK - 515 301
ANDRA PRADESH.

...APPELLANT

(BY SRI SRINIVAS V., ADVOCATE)

AND:

SRI CHANDRASHEKARA R.
S/O. LATE RAVI KUMAR P.A.
AGED ABOUT 35 YEARS
R/AT LINGADAHALLI VILLAGE
Y.N. HOSAKOTE HOBLI
PAVAGADA TALUK
TUMAKUR DISTRICT - 561 202.

...RESPONDENT

(BY SRI SURESH S., ADVOCATE FOR C/R)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

THIS MFA IS FILED UNDER SECTION 28(1) OF HINDU MARRIAGE ACT, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 29.08.2026 PASSED IN M.C.NO.116/2025 BY THE SENIOR CIVIL JUDGE AND JMFC, PAVAGADA.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

Heard learned counsel for appellant.

2. It is contended that, in view of the judgment passed by this Court in MFA.No.1259/2026, the Division Bench of this Court, while considering similar matters arising out of judgments and decrees of divorce passed by the Senior Civil Judge, has ordered the transfer of such matters to the jurisdictional District Court.

3. In view of the change in law, the present appeal would have to be transferred to the District Court, Tumakuru, for adjudication.

4. Learned counsel for appellant has filed I.A.No.2/2026, seeking an interim order staying the operation of the judgment and decree dated 29.08.2026 passed in M.C.No.116/2025 by the Senior Civil Judge and JMFC, Pavagada, contending that the respondent, though

represented by a caveator, is not present before the Court.

5. Learned counsel for appellant apprehends that, during the period of transfer of the appeal, the respondent may proceed to contract a second marriage. Hence, learned counsel seeks an interim order.

6. I have perused the affidavit annexed to the application. Considering the urgency shown, the change in law and the fact that the matter is being transferred to the District Court, Tumakuru, this Court deems it appropriate to pass the following order:

> *"There shall be stay of the operation of the judgment and decree dated 29.08.2026 passed in M.C.No.116/2025 by the Senior Civil Judge and JMFC, Pavagada, till further orders by the learned District Judge."*

Accordingly, the appeal stands ***disposed of*** for statistical purposes.

Since the parties are represented before this Court, they shall appear before the learned District Judge on ***23.11.2026*** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 2 Sl No.: 2