HC-KAR

NC: 2026:KHC:65104
MFA No. 8160 of 2024

CNR: KAHC010723942024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8160 OF 2024 (CPC)

BETWEEN:

SMT. AMBUJAKSHI A.R.
D/O. LATE RAMAIAH,
W/O. MADHU H.J.,
AGED ABOUT 39 YEARS,
R/AT. ADURU VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK - 560 049.

...APPELLANT

(BY SRI. JAGANNATHA H.T.,ADVOCATE)

AND:

1. SMT. SARASWATHAMMA
W/O. LATE. RAMAIAH,
AGED ABOUT 76 YEARS,
R/AT. ADURU VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK - 560 049.

2. SRI. VENKATE GOWDA,
S/O. LATE. RAMAIAH,
AGED ABOUT 52 YEARS,
R/AT. ADURU VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK - 560 049.

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3. SRI. SRINIVAS,
S/O. LATE. RAMAIAH,
AGED ABOUT 50 YEARS,
R/AT. ADURU VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK - 560 049.

4. SRI. KANTHARAJ,
S/O. LATE. RAMAIAH,
AGED ABOUT 47 YEARS,
R/AT. ADURU VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK - 560 049.

5. M/S. PRAGNA CONSTRUCTION,
REPRESENTED BY ITS MANAGING PARTNER,
SRI. VEENA VENKATA RAMANA REDDY,
S/O. SRI. THIRUPATHAIAH,
AGED ABOUT 41 YEARS,
O/AT. NO. 05, RAJ SQUARE, 5TH FLOOR,
VIJAYA BANK COLONY MAIN ROAD,
BANASAWADI RING ROAD,
BENGALURU - 560 043.

AND ALSO AT

NO. SIRI ENCLAVE FLAT NO.301,
SITE NO.47 ROYAL PLACID,
PHASE-2, HARLUR ROAD,
BENGALURU - 560 102.

…RESPONDENTS

(BY SRI. T. NAGARAJA, ADVOCATE FOR C/R5)

THIS MFA IS FILED U/O. 43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 15.10.2024 PASSED ON IA NO.1 IN O.S.NO.1115/2023 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, PARTLY ALLOWING IA NO.1 FILED U/O.39 RULE 1 AND 2 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) List this matter before the District Court on 16.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 20