



NC: 2024:KHC:34381-DB
RFA No. 1373 of 2016
C/W RFA No. 940 of 2016
RFA No. 941 of 2016
AND 2 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2024

PRESENT

THE HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR

AND

THE HON'BLE MR JUSTICE UMESH M ADIGA

REGULAR FIRST APPEAL NO. 1373 OF 2016 (RES)

C/W

REGULAR FIRST APPEAL NO. 940 OF 2016

REGULAR FIRST APPEAL NO. 941 OF 2016

REGULAR FIRST APPEAL NO. 1078 OF 2016

REGULAR FIRST APPEAL NO. 1374 OF 2016

In RFA No.1373/2016

Between:

Digitally signed
by VEERENDRA
KUMAR M
Location: HIGH
COURT OF
KARNATAKA

Millennia Realtors Pvt. Ltd.,
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
The Millennia, Tower B, Level 12-14,
1 & 2, Murphy Road, Ulsoor,
Bengaluru-560 008.
Represented by its Managing Director
and authorized signatory
Mr.Raj.A.Menda

...Appellant

(By Sri. George Joseph, Advocate)



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RFA No. 941 of 2016
AND 2 OTHERS**

And:

Capgemini Technology Services India Limited
(Transferee Company on amalgamation with
Flextronics Software Systems Limited)
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
No.5, Jain Mandir Marg (Annexe),
Cannaught Place, New Delhi-110 001,
Also having office at No.18/1, RMZ Ecozen,
Outer Ring Road, Panathur Post,
Bengaluru-560 087.

(Vide order dated 26.07.2023).

...Respondent

(By Sri. Pradeep Nayak, Advocate)

The RFA filed under Order XLI Rule 1 read with section 96
of CPC., against the judgment and decree dated 13.04.2016
passed in O.S.No.26660/2010 on the file of the XXVIII
Additional City Civil Judge, Mayohall Unit, Bengaluru (CCCH-29)
partly decreeing the suit for eviction/damages.

In RFA No.940/2016

Between:

Capgemini Technology Services India Limited
(Transferee company on amalgamation with
Flextronics Software Systems Limited)
Formerly known as Hughes Software Systems Limited
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
No.5, Jain Mandir Marg (Annexe),
Cannaught Place, New Delhi-110 001,
Also having office at No.18/1, RMZ Ecozen,
Outer Ring Road, Panathur Post,
Bengaluru-560 087.



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Represented by its authorized representative
Mr. Daniel Anil Kumar,
S/o. Mr.K.F.George,
Aged 46 years.

(Vide order dated 21.07.2023).

...Appellant

(By Sri. Pradeep Nayak, Advocate)

And:

M/s. Millennia Realtors Pvt. Ltd.,
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
Level 12-14, Tower B, The Millennia,
No.1 & 2, Murphy Road, Ulsoor,
Bengaluru-560 008.

...Respondent

(By Sri. George Josesh, Advocate)

The RFA filed under Order XLI Rule 1 of CPC., read with
section 96 of CPC., against the judgment and decree dated
13.04.2016 passed in O.S.No.16735/2005 on the file of the
XXVIII Additional City Civil and Session Judge, Mayohall Unit,
Bengaluru, partly decreeing the suit for vacant possession.

In RFA No.941/2016

Between:

Capgemini Technology Services India Limited
(Transferee company on amalgamation with
Flextronics Software Systems Limited)
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
No.5, Jain Mandir Marg (Annexe),
Cannaught Place, New Delhi-110 001,
Also having office at No.18/1, RMZ Ecozen,



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Outer Ring Road, Panathur Post,
Bengaluru-560 087.

Represented by its authorized representative
Mr. Daniel Anil Kumar,
S/o. Mr.K.F.George,
Aged 46 years.

(Vide order dated 21.07.2023)

...Appellant

(By Sri. Pradeep Nayak, Advocate)

And:

M/s. Millennia Realtors Pvt. Ltd.,
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
Level 12-14, Tower B, The Millennia,
No.1 & 2, Murphy Road, Ulsoor,
Bengaluru-560 008.

Represented by its Director and Authorized Signatory
Mr.Raj A.Menda

...Respondent

(By Sri. George Joseph, Advocate)

This RFA is filed under Order XLI Rule 1 of CPC., read with section 96 of CPC., against the judgment and decree dated 13.04.2016 passed in O.S No.26660/2010 on the file of the XXVIII Additional City Civil Judge, Mayohall Unit, Bengaluru, partly decreeing the suit for eviction and damages.

In RFA 1078/2016

Between:

**Capgemini Technology Services India Limited,*
(Formerly known as Hughes Software Systems Limited), a company incorporated under the Companies Act, 1956 and having its registered office at No.5, Jain Mandir Marg, (Annexe), Connaught Place, New Delhi-110001.

**Corrected vide chamber order
dated 04.10.2024*



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Note: The present name and address
Of the appellant is as follows:

**M/s.Arident Technologies (Holdings) Limited,*
(Transferee company on amalgamation with
Flextronics Software Systems Limited)
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
No.5, Jain Mandir Marg (Annexe),
Cannaught Place, New Delhi-110 001,
Also having office at No.18/1, RMZ Ecozen,
Outer Ring Road, Panathur Post,
Bengaluru-560 087.

(vide order dated 21.07.2023)

...Appellant

(By Sri. Pradeep Nayak, Advocate)

And:

1. M/s. Millennia Realtors Pvt. Ltd.,
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
Level 12-14, Tower B, The Millennia,
No.1 & 2, Murphy Road, Ulsoor,
Bengaluru-560 008.
2. M/s. Rani Rasamani Constructions Pvt. Ltd.
a company incorporated under the provisions of the
Companies Act, 1956 having its registered office at
Flat No. S 001, Prestige Le Promenade, No. 37,
Promenade Road, Fraser Town (Near Thomas Bakery)
Bengaluru - 560005.
(note: formerly known as Rani Rasamani
Constructions)

...Respondents

(By Sri. George Joseph, Advocate for R1;
R2 is served and unrepresented)

**corrected vide chamber order
dated 04.10.2024.*



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This RFA is filed under Order XLI Rule 1 of CPC., against the judgment and decree dated 13.04.2016 passed in O.S. No.25312/2007 on the file of the XXVIII Additional City Civil and Sessions Judge, Mayohall Unit, Bengaluru, dismissing the suit for specific performance.

In RFA No.1374/2016

Between:

Millennia Realtors Pvt. Ltd.,
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
The Millenia, Tower B, Level 12-14,
1 & 2, Murphy Road, Ulsoor,
Bengaluru-560 008
Represented by its Managing Director
and authorized signatory
Mr.Raj.A.Menda

...Appellant

(By Sri. George Joseph, Advocate)

And:

Capgemini Technology Services India Limited
(Transferee company on amalgamation with
Flextronics Software Systems Limited and formerly
known as Hughes Software Systems Limited)
A company incorporated under the
provisions of the Companies Act, 1956
and having its registered office at
No.5, Jain Mandir Marg (Annexe),
Cannaught Place, New Delhi-110 001,

(vider order dated 26.07.2023)

...Respondent

(By Sri. Pradeep Nayak, Advocate)

This RFA filed under Order XLI Rule 1 read with section 96 of CPC., against the judgment and decree dated 13.04.2016



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passed in O.S.No.16735/2005 on the file of the XXVIII Additional City Civil Judge, Mayohall Unit, Bengaluru, partly decreeing the suit for vacant possession.

These appeals, coming on for final hearing, this day, order was made therein as under:

CORAM: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR
and
HON'BLE MR JUSTICE UMESH M ADIGA

ORAL ORDER

(PER: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR)

Comprehensive compromise petition was filed yesterday in all these appeals by the authorized representatives of the parties. The compromise petition was taken on record and its contents were read over and explained to the authorized representatives in presence of their respective advocates. They admitted the compromise on behalf of the parties, and submitted that they were aware of the terms of compromise and that the appellant and respondent companies have voluntarily entered into compromise.

2. We find that the terms of the compromise are lawful. Except some modification in the impugned judgments



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as stated in the compromise petition, the rest of the impugned judgments remain intact. Therefore compromise is accepted. Decree shall be drawn in terms of compromise petition. All the appeals stand disposed of in terms of compromise petition.

**Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE**

**Sd/-
(UMESH M ADIGA)
JUDGE**

sd
List No.: 1 Sl No.: 1