



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 20TH DAY OF NOVEMBER, 2025
PRESENT
THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.
MISCELLANEOUS FIRST APPEAL NO. 100543 OF 2023
(MC)

BETWEEN:

BHARATI W/O. VEERAPPA NASIPUDI
AGE. 37 YEARS, OCC. HOUSEHOLD,
C/O. RUDRAGOUDA S. SHIVANAGOUDAR,
R/O. QUARTERS NO.15, LAXMITEK,
BELAGAVI, DISTRICT. BELAGAVI-591108.

...APPELLANT

(BY SRI PRASHANT MATHAPATI, ADVOCATE)

AND:

VEERAPPA S/O MAHARUDRAPPA NASIPUDI
AGE. 33 YEARS, OCC. PRIMARY SCHOOL TEACHER,
R/O. PARISHWAD, TAL. KHANAPUR,
DISTRICT. BELAGAVI 591131

...RESPONDENT

(BY SRI MALIKARJUN B. MADANALLI, ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL FILED UNDER SECTION 28(1) OF THE HINDU MARRIAGE ACT, 1955, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 01.02.2023, PASSED IN MATRIMONIAL CASE NO.33/2019, ON THE FILE OF THE SENIOR CIVIL JUDGE AND JUDICIAL MAGISTRATE FIRST CLASS, KHANAPUR, ALLOW THIS APPEAL, TO MEET THE JUSTICE AND EQUITY.

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



CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

This appeal filed under section 28(1) of the Hindu Marriage Act, 1955, is directed against the judgment dated 01.02.2023, in M.C.No.33/2019, on the file of Senior Civil Judge and JMFC, Khanapur, wherein the petition filed by respondent under Section 13(1)(ia) and (ib) of Hindu Marriage Act, 1955, was allowed and the marriage solemnized between the appellant and respondent on 05.05.2002 was dissolved.

2. Learned counsel for the appellant Sri Prashant Mathapati and learned counsel for respondent Sri Mallikarjun B. Madanalli, are present before the Court with their respective parties. The parties are identified by their respective counsels.



3. It is submitted that, by an order dated 17.07.2025, the appeal was referred to mediation and before the mediation the parties have settled their differences. Accordingly, a memorandum of agreement dated 20.11.2025 is arrived at and the same is filed before this Court.

4. The respondent has agreed to pay a sum of Rs.15,00,000/- (Fifteen Lakh Rupees) as permanent alimony to the appellant and her daughter. The same is paid through two demand drafts bearing No.442471 and 442470 and cash of Rs.1,00,000/- (One Lakh Rupees), today before the Court, receipt of which is acknowledged by the appellant. The terms of settlement reads as follows:

"3. The Hon'ble Court referred the matter for mediation. Now with the intervention of mediator and both the families, finally it is decided that they shall separate by dissolving the marriage by accepting the decree for dissolution of marriage granted by the trial Court in MC No.33/2019 on the file Senior Civil Judge, & JMFC Khanapur. However, the permanent alimony of Rs.15,00,000/- (Fifteen Lakh Rupees Only) payable to Wife/Appellant & Daughter by



Husband/Respondent as a permanent life alimony including the maintenance order passed in Crl. Misc No.94/2019.

4. It is submitted that both the Appellant/wife & Daughter of Respondent namely Sri. Veerappa S/o Maharudrappa Nasipudi have agreed to withdraw all claims against Respondent by accepting permanent Life alimony of Rs.15,00,000/-(Fifteen Lakh Rupees only). In future the daughter will not claim any rights over the property of her respondent/father.

5. The respondent has paid Rs.15,00,000/- as permanent alimony to the both appellant wife & daughter. Out of the said amount a sum of Rs.1,00,000/- received through Cash (Rs.500 notes x 200 numbers). The wife will receive a sum of Rs.9,50,000/- vide through Demand Draft bearing No.442471 drawn on State Bank of India High Court Branch Dharwad & a sum of Rs.4,50,000/- daughter will be receive the same through Demand Draft bearing No.442470 drawn on State Bank of India High Court Branch Dharwad Dtd: 20.11.2025. The appellant/wife & Daughter both acknowledge the receipt of the permanent alimony as full, and final settlement.

6. Both parties agreed withdraw allegations against each other.

7. It is submitted that the Respondent has no objection for modify the Judgment and decree dated 01.02.2023 passed in M.C.No.33/2019 passed by the Senior Civil Judge and JMFC, Khanapur in M.F.A.No100543/2023.

8. That wife along with daughter hereby agree that they shall not have any claim of



maintenance/ rights over the properties or counter-claim, disputes, demands, initiate actions, proceedings etc. of whatsoever nature against each other and hereafter, in relation to and/or arising out of the said marriage and further undertake not to make any allegations in the future against each other in relation to the marriage.

9. *The judgment and decree dated 01.02.2023 under appeal may be modified by confirming decree of divorce dissolving the marriage solemnized on 05-05-2002 between appellant/wife, and respondent/husband as full and final permanent alimony of Rs.15,00,000/- (Fifteen Lakh Rupees only) in terms of the compromise petition. As per the compromise petition the wife has agreed to receive a sum of Rs.9,50,000/- and Daughter has agreed to receive a sum of Rs.4,50,000/- through separate Demand Draft. The aforesaid Demand draft is handed over to the wife appellant & daughter before the Hon'ble High Court of Karnataka Dharwad Bench Dharwad.*

10. *The contents of the compromise petition which is in English read over and explained to the Parties in both Kannada and English and the parties having understood contents and agreed thereupon and affixed their signature with free consent and volition free from all undue influence, fraud and misrepresentations, to this compromise have signed this compromise petition after being explained about the terms in Kannada after agreeing to the contents.*

11. *Wherefore parties to the compromise humbly pray that the Hon'ble Court may be*



pleased to modify the judgment and decree dated 01.02.2023 passed by Senior Civil Judge & JMFC Khanapur in M.C.No.33/2019 by confirming decree of divorce dissolving the marriage solemnized on 5-5-2002 between appellant and respondent in terms of the compromise petition in the interest of justice and equity. The M.F.A. No.100543/2023 filed by wife seeking set aside the decree of divorce may kindly be dismissed in terms of the compromise."

5. The memorandum of agreement is placed on record. The terms of settlement are in accordance with law.

6. In terms of the memorandum of agreement arrived at between the appellant and the respondent, the appeal stands disposed of, confirming the judgment dated 01.02.2023, passed in M.C.No.33/2019, on the file of Senior Civil Judge and JMFC, Khanapur.

Sd/-
(S G PANDIT)
JUDGE

Sd/-
(GEETHA K.B.)
JUDGE