



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

MISCELLANEOUS FIRST APPEAL NO. 196 OF 2024 (FC)

BETWEEN:

SRI. DHANJAYAMURTHY,
S/O NAGARAJA,
AGED ABOUT 40 YEARS,
R/O HULIKATE VILLAGE,
DAVANAGERE - 577 001.

...APPELLANT

(BY SRI. VIVEKANANDA. N., ADVOCATE)

AND:

SMT. REKHA,
D/O SIDDAPPA,
AGED MAJOR,
R/O UJJAPPALARA ODAYA HALLI,
JAGALURU TALUK,
DAVANAGERE - 577 528.

...RESPONDENT

(BY SRI. RAGHAVENDRA RAO K., ADVOCATE)

THIS MFA IS FILED UNDER SECTION 19(1) OF FAMILY COURT ACT, 1984, AGAINST THE JUDGMENT AND DECREE DATED: 04.12.2023 PASSED IN M.C.NO.135/2017 ON THE FILE OF THE JUDGE, FAMILY COURT, DAVANAGERE, DISMISSING THE PETITION FILED UNDER SECTION 13(1)(ia)(ib) OF THE HINDU MARRIAGE ACT.



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

CORAM: HON'BLE MR. JUSTICE D K SINGH

and

HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present appeal has been filed under Section 19(1) of the Family Courts Act, 1984, impugning the judgment and decree dated 04.12.2023, in M.C.No.135/2017 passed by the Judge, Family Court, at Davanagere.

2. During the pendency of this appeal, with intervention of the family/friends and well-wishers, the parties have settled their disputes and have resolved to get their marriage dissolved under Section 13-B of the Hindu Marriage Act, 1955, for which they have filed a joint



compromise petition under Order XXIII Rule 3 of the Code of Civil Procedure, 1908.

3. The parties are present in the Court in person, through their respective learned counsels who have been duly identified. The parties have put their respective signatures on each page of the compromise petition and the last page is signed by the counsel representing both the parties. The joint affidavit has also been filed by the parties.

4. Smt.Rekha-respondent has stated that she has received Rs.17,00,000 (Rupees Seventeen Lakhs only) i.e., Rs.50,000/- (Rupees Fifty Thousand only) by way of cash through phone pay and the Demand Draft bearing No.186766 dated 10.06.2026 drawn on Karnataka Bank Limited, Anaji Branch, Mangaluru, for Rs.16,50,000/- (Rupees Sixteen Lakhs Fifty Thousand only).

5. The terms of the compromise deed reads as under:



**"JOINT COMPROMISE PETITION UNDER
ORDER XXIII RULE 3 OF THE CODE OF CIVIL
PROCEDURE, 1908 READ WITH SECTION 13-B OF
THE HINDU MARRIAGE ACT, 1955**

The Appellant and the Respondent above-named, most respectfully submit as follows:

- 01. The Appellant, Sri. Dhanjayamurthy, S/o Nagaraja, and the Respondent, Smt. Rekha, D/o Siddappa, were married on 24.03.2014 at Government Employees Convention Hall, Nijalingappa Layout, Davanagere, as per Hindu rites, customs, and rituals prevailing in their community.*
- 02. The Appellant filed a divorce petition being M.C.No.135/2017 before the Hon'ble Principal Family Judge, Family Court, Davanagere, under Section 13(1)(i-a) and 13(1)(i-b) of the Hindu Marriage Act, 1955, seeking dissolution of the marriage on the grounds of cruelty and desertion.*
- 03. The Hon'ble Family Court, Davanagere, dismissed the said petition vide Judgment and Decree dated 04.12.2023, against which the Appellant preferred the present Miscellaneous First Appeal bearing MFA No. 196/2024 before this Hon'ble Court.*
- 04. The parties were referred to mediation in connection with the criminal proceedings bearing Crl.P No. 402/2026 and Crl.P No. 297/2026 pending before this Hon'ble Court, and in the course of such mediation, the parties have arrived at a full and final settlement of all disputes and differences between them, as set out herein below.*
- 05. The Appellant and the Respondent have mutually, voluntarily, and without any coercion, undue influence, or compulsion, agreed to dissolve their marriage by a decree of divorce, and have settled all matters between them on the following terms:*
 - a. Both parties have been living separately for more than one year and have mutually agreed that they cannot live together as husband and wife.*



- b. In full and final settlement of all claims including permanent alimony, maintenance, stridhan, and any other monetary or non-monetary claims, the Appellant agrees to pay a sum of Rs. 16,50,000/- to the Respondent. This payment is made today through DD dated 10/06/2026 bearing No. 186766. Rs. 50,000/- through Phonepe in total Rs.17,00,000/- Upon receipt of the aforesaid amount, the Respondent confirms that she shall have no further claims of any nature whatsoever against the Appellant, his family members, or his properties, whether present or future.*
- c. The Respondent hereby unconditionally and irrevocably relinquishes, waives, and abandons all her rights, claims, and demands of every kind and nature whatsoever whether past, present, or future against the Appellant, including but not limited to:*
- i. Any claim for maintenance or alimony under the Hindu Marriage Act, 1955, or under the Code of Criminal Procedure, 1973, or under any other law for the time being in force;*
 - ii. Any claim over the movable or immovable properties of the Appellant or his family members;*
 - iii. Any claim arising out of or in connection with the matrimonial relationship between the parties;*
 - iv. Any complaint, criminal case, or proceeding of any nature filed or to be filed against the Appellant or his family members arising out of the matrimonial relationship.*
- d. The Respondent agrees to fully and unconditionally cooperate with the Appellant for the purpose of withdrawal, settlement, and disposal of the criminal proceedings bearing CrI.P No. 402/2026 and CrI.P No. 297/2026 pending before this Hon'ble Court, and any other connected criminal or civil proceedings that may be pending between the parties or their family members. The Respondent*



shall take all necessary steps and execute all necessary documents as may be required for the disposal of the aforesaid proceedings.

- e. The Respondent agrees and undertakes that she shall not file any fresh complaint or civil proceeding against the Appellant or any of his family members, relatives, or associates arising out of or in connection with the matrimonial relationship, the marriage, or the divorce proceedings.*
- f. Each party agrees to retain their respective personal belongings. There shall be no further claims by either party regarding matrimonial articles, gifts, or documents, as all such disputes stand settled.*
- g. There are no children born out of the said marriage. Hence, there is no question of custody, guardianship, or maintenance for children.*
- h. The terms set out herein constitute a complete, full, and final settlement of all disputes, differences, and claims between the parties arising out of or in connection with the marriage, the matrimonial relationship, and all pending proceedings. Neither party shall be entitled to raise any claim against the other in future on any ground whatsoever.*

Wherefore the Appellant and the Respondent jointly and respectfully pray that this Hon'ble Court may be pleased to accept this Joint Compromise Petition and record the compromise between the parties and grant a decree of divorce between the Appellant and the respondent dissolving the marriage dated 24.03.2014, in the interest of justice.

The contents of compromise petition which is in English language has been explained to the parties in Kannada language and we have agreed for the same."



6. We therefore pass a decree Under Order XXIII Rule 3 r/w Section 151 of CPC r/w Section 13-B of Hindu Marriage Act, 1955 to dissolve the marriage between Mr. Dhananjaymurthy and Smt. Rekha solemnized on 24.03.2014. Accordingly, we ***dispose of*** this appeal.

7. In view of disposal of the appeal, pending application/s if any, does not survive for consideration and the same shall stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

RR
List No.: 1 Sl No.: 44
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