



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO.7250 OF 2018 (LAC)

BETWEEN:

NARAYANAGOWDA
S/O. LAKSHMANA MURTHY
MAJOR
R/O. NO.101, 102, VAJARAHALLI VILLAGE
KANKAPURA MAIN ROAD
BENGALURU

...APPELLANT

(BY SRI K. H. RAMESH, ADVOCATE)

AND:

1. BHANUMATHI SHAMANNA
W/O. SHAMANNA
MAJOR
R/AT NO.12, DEJA VIEW PARK LAYOUT
OPP. DEFENCE COLONY
HOODI, MAHADEVAPURA POST
BENGALURU
2. SPL. LAND ACQUISITION OFFICER
KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
(KIADB) (METRO)
NRUPATHUNGA ROAD

 Digitally signed
by
GAVRIBIDANUR
SUBRAMANYA
GUPTA
SREENATH
Location: HIGH
COURT OF
KARNATAKA



BENGALURU-01

3. CHIEF MANAGER
(LAND AND ESTATE)
B.M.R.C.L
SHANTHINAGAR
BENGALURU

...RESPONDENTS

(BY SRI YOGESH V. KOTEMATH, ADVOCATE FOR,
SRI VIRUPAKSHIAH P. H., ADVOCATE FOR R-1
VIDE ORDER DATED 25.09.2018, NOTICE TO R-2 AND R-3
ARE DISPENSED WITH)

THIS MFA IS FILED U/S.54(1) OF LAND ACQUISITION
ACT, AGAINST THE JUDGMENT AND AWARD DATED 24.04.2018
PASSED ON LAC NO.16/2017 ON THE FILE OF THE II
ADDITIONAL CITY CIVIL & SESSIONS JUDGE, BENGALURU
(CCH NO.17), PARTLY ALLOWING THE REFERENCE PETITION
FOR COMPENSATION AND SEEKING ENHANCEMENT OF
COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR



ORAL JUDGMENT

The parties to the proceedings are present before the Court physically along with their respective counsels, who have identified their respective parties, namely appellant and respondent No.1. Appearance of Respondent Nos.2 and 3 are dispensed by order dated 25.09.2018.

2. The appellant and respondent No.1 have filed a compromise petition under Order 23 Rule 3 of CPC, amicably resolving the dispute with regard to the compensation amount deposited before the Reference Court. The appellant herein has filed the present appeal challenging the judgment and award in LAC No.16/2017 dated 24.04.2018 passed by the II Additional City Civil and Sessions Judge at Bengaluru (CCH-17) whereby the Reference Court partly allowed the petition by holding the claimant No.2 i.e., respondent No.1 would be entitled to receive an amount of Rs.19,28,012/- out of the deposited amount of Rs.45,70,103/- in respect to the acquired land bearing Khata No.101 and 102, PID No.198-MO-189-86,



measuring to an extent of 101.18 square meters situated at Vajarahalli Village.

3. Both the appellant and the respondent No.1 are physically present. At the instance/interference of the elders and well-wishers they have resolved the dispute, to put an end to the litigation. They have arrived at the settlement of sharing the amount in a manner stipulated in Compromise Petition. An amount of Rs.45,70,103/- has been deposited before the Reference Court as compensation. Respondent No.1 was ordered entitlement of Rs.19,28,012/-. Out of the said amount of Rs.19,28,012/- by order dated 25.09.2018, respondent No.1 has received by way of release of amount of Rs.8,11,794/- out of the total compensation of Rs.19,28,012/-. By virtue of this Compromise Petition, out of the remaining amount of Rs.19,28,012/- after receiving an amount of Rs.8,11,794/-, respondent No.1 has now agreed to receive balance compensation of Rs.10,00,000/- as against Rs.11,16,218/-, the same is acceptable to the



appellant, who is physically present before the Court. Accordingly, this Compromise Petition is filed. The terms and conditions of the Compromise Petition are enumerated in paragraph No.3(i) to (v). The same is extracted herein for the sake of clarity:

"3. That the appellant and the respondent No.1 herein at the instance of elders and well wishers have settled the matter amicably and have sorted out their differences. Pursuant to the said settlement arrived between the parties, the appellant and the respondent No.1 herein are entering into the instant Compromise on the following terms and conditions:

i) The respondent No.1 herein has agreed to receive compensation of Rs. 10,00,000/- (Rupees Ten Lakhs Only) in addition to the compensation amount of Rs.8,11,794/- already received in terms of the order passed by this Hon'ble Court;

ii) That the appellant has no objection for release of a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) in favour of the respondent No.1 out of the amount in deposit in LAC No. 16/2017 on the file of the II Additional City Civil & Sessions Judge, at Bangalore (CCH-17);

(iii) That the respondent No.1 herein agreed that the aforesaid amount payable in her favour would be the full and final settlement and that she would not have any claim in future in terms of the Judgment and Award dated 24.04.2018 in LAC No. 16/2017 passed by the II Additional City Civil & Sessions Judge, at Bangalore (CCH-17);

(iv) That the respondent No.1 undertakes that she would withdraw the appeal bearing MFA No. 3738/2021 (LAC) filed by her seeking enhancement of compensation awarded by Judgment and Award



dated 24.04.2018 in LAC No. 16/2017 passed by the II Additional City Civil & Sessions Judge, at Bangalore (CCH-17);

(v) That the appellant and respondent No.1 undertake that they would not have any claim against each other whatsoever in future in respect of the compensation amount;".

4. The respondent No.1 has already withdrawn an amount of Rs.8,11,794/-. She is now entitled by virtue of this compromise is Rs.10,00,000/- deposited before the Reference Court.

5. Respondent No.1 also undertakes that she would withdraw appeal bearing MFA No.3738/2021, which was filed seeking enhancement of compensation against the order passed in LAC No.16/2017.

6. Both the parties, i.e. the appellant - Narayanagowda s/o Lakshmana Murthy and respondent No.1 - Smt.Bhanumathi Shamanna w/o Shamanna are present physically, identified by their respective counsels. They have been enquired by the Court regarding the settlement and compromise. They agreed to the averments made in the Compromise Petition. It is also



agreed regarding the execution of the Compromise Petition along with signatures affixed in the Compromise Petition, identified by their respective counsels, who have also affixed their signatures. They submit that the Compromise Petition is executed out of their own free will and consent without any coercion or ill-will and they would abide by the terms and conditions of the compromise.

7. In view of the compromise entered into between the parties, this appeal would have to be disposed of in accordance to the terms of Compromise Petition. Accordingly, I pass the following order:

ORDER

(i) This appeal is ***disposed of*** in terms of the Compromise Petition.

(ii) Compromise Petition shall form part of this Judgment.

(iii) Respondent No.1 shall be entitled to withdraw the amount of Rs.10,00,000/- deposited before the Reference Court. The



remaining amount shall be released in favour of the appellant upon proper identification.

(iv) In view of the settlement agreement by way of compromise filed between the parties, the Registry to refund the Court fee, if any, in accordance to the Karnataka Court Fees and Suits Valuation Act to the appellant upon the appellant furnishing relevant Bank details on proper identification.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

GSR
List No.: 1 Sl No.: 1