



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 20<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE RAVI V HOSMANI**

**REGULAR SECOND APPEAL NO. 571 OF 2023 (DEC)**

**BETWEEN:**

SMT. PILLAMMA  
DEAD BY HER LRS.,

1. SRI. MUNIYAPPA,  
DEAD BY HIS LRS.,

SMT. CHINNAMMAIAH,  
W/O. LATE PRAKASH,  
AGED ABOUT 43 YEARS,  
R/AT MODANAHOSAHALLI VILLAGE,  
ANUGONDANAHALLI HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL - 562 114.

2. SMT. BHARATHI  
W/O. MUNIRAJ,  
AGED ABOUT 39 YEARS,  
R/AT MANCHANAHALLI,  
JADAGENAHALLI HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT-562 114.

3. SMT. SAVITHA  
W/O. MAHENDRA BABU,  
MAJOR,  
R/AT SANTHEKALLALLI VILLAGE AND POST,  
KAIWARA HOBLI,  
CHINTAMANI TALUK,  
KOLAR DISTRICT-563 125.

4. SRI. BAIRA  
S/O. LATE MUNIYAPPA,

Digitally  
signed by  
ANUSHA V  
Location:  
High Court  
of Karnataka



AGED ABOUT 42 YEARS,

5. SRI. RAMANJA  
S/O. LATE MUNIYAPPA,  
AGED ABOUT 36 YEARS,
6. SMT. SHARADAMMA  
W/O. LATE MUNIYAPPA,  
AGED ABOUT 63 YEARS,

R1 TO R6 ARE R/AT IDDANAHALLI VILLAGE,  
NANDAGUDI HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT - 562 122.

SRI. KRISHNAPPA  
DEAD BY HIS LRS

7. SMT. SWETHA  
W/O. MARUTHI,  
D/O. KRISHNAPPA,  
AGED ABOUT 36 YEARS,  
R/AT KAMMASANDRA VILLAGE,  
SULIBELE HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT - 562 114.
8. SRI. NAVEEN KUMAR  
S/O. LATE KRISHNAPPA,  
AGED ABOUT 40 YEARS,  
R/AT KORALUR VILLAGE,  
KASABA HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT - 562 114.
9. SMT. JAYAMMA  
W/O. ANNAIAH GOWDA,  
AGED ABOUT 71 YEARS,  
R/AT NAGANAYAKANAKOTE VILLAGE,  
ANUGONDANAHALLI HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT-562 114.



10. SRI. LOKESH  
S/O. LATE KALAPPA,  
AGED ABOUT 58 YEARS,  
R/AT KORALUR VILLAGE,  
KASABA HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT-562 114.

11. SMT. MAMATHA  
W/O. LATE NARAYANASWAMY,  
AGED ABOUT 47 YEARS,  
R/AT KORALUR VILLAGE,  
KASABA HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT - 562 114.

...APPELLANTS

(BY SRI. NARAYANA SWAMY P.M., ADVOCATE)

**AND:**

1. SRI. CHANDRAPPA  
S/O. LATE ABBAIAH @ VECHAPPA,  
AGED ABOUT 73 YEARS,  
R/AT KORALUR VILLAGE,  
KASABA HOBLI,  
HOSAKOTE TALUK,  
BANGALORE RURAL DISTRICT-562 114.

VIDE ORDER DATED 20.02.2026,  
R2 TO R7 ARE DELETED

...RESPONDENT

(BY SRI. ABHISHEK KUMAR, ADVOCATE FOR R1 (NOC))

VIDE ORDER DATED 20.02.2026, R2 TO R7 ARE DELETED)

THIS RSA IS FILED UNDER SECTION 100 OF CPC.,  
AGAINST THE JUDGMENT AND DECREE DATED 24.02.2023  
PASSED IN RA.No.152/2015 ON THE FILE OF THE II  
ADDITIONAL DISTRICT AND SESSIONS JUDGE, BENGALURU  
RURAL DISTRICT, BENGALURU, ALLOWING THE APPEAL AND  
SETTING ASIDE THE JUDGMENT AND DECREE DATED



14.08.2015 PASSED IN OS No.82/2007 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU (R) DIST., BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

### **ORAL JUDGMENT**

Challenging judgment and decree dated 24.02.2023 passed by II Additional District and Sessions Judge, Bangalore Rural District, Bangalore, in R.A.no.152/2015, this Appeal is filed.

2. It is submitted by learned counsel that during pendency of appeal, matter was referred to mediation and parties have settled dispute as per Memorandum of Settlement containing terms of settlement as follows :

**" MEMORANDUM OF SETTLEMENT UNDER SECTION 89  
OF CPC READ WITH RULES 24 AND 25 OF THE  
KARNATAKA CIVIL PROCEDURE (MEDIATION) RULES,  
2005**

I. The Appellants being aggrieved by the judgment and decree passed in R.A.No.152/2015 dated 24.02.2023 by II Additional District and Sessions Judge, Bengaluru Rural District, Bengaluru by allowing the appeal and setting aside the judgment and decree in



O.S.No.82/2007 dated 14.08.2015 on the file of the II Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru.

II. The Original defendant No.2 Smt.Akkayamma remained absent in O.S.No.82/2007 her legal heirs were brought on record in R.A.No.152/2015 who also remained absent. Even in the above appeal they remained absent and the appellants herein who were the defendants before the Trail Court are agreed to file an application seeking for deletion of their names in the above appeal by making a necessary application before this Hon'ble Court at the time of reporting this settlement as they are not necessary parties and also agreed to file amended appeal memo.

III. The aforesaid appeal was referred to mediation for resolving the dispute between the parties. During the course of mediation, the contested parties along with their respective counsel were present, identified each other and they admit that the dispute is settled among themselves as follows:

1. The Respondent/Sri.Chandrappa has filed a suit for declaration injunction against the Appellants herein in respect of the land bearing survey No.11/1 measuring 1 acre 24 guntas situated at Koralur Village, Kasaba Hobli, Hosakote Taluk, Bengaluru Rural District, claiming that his mother deceased Smt.Sakamma was the absolute owner of the aid property having acquired the same through a registered gift deed dated 10.07.1951 executed by his grand father deceased Sri.Dyavanna,



initially the said suit came to be dismissed which was set aside in R.A.No.152/2015 against the present appeal is filed by the Appellants/Defendants, considering the relationship among the parties the respondent herein has agreed to give up an extent of 24 guntas out of 1 acre 24 guntas in Survey No. 11/1 in favour of the Appellants/Defendants jointly which is described in the schedule as B Schedule property and agreed to keep 1 acre of land for himself which is described in the schedule as A Schedule property.

2. The Appellants/Defendants have agreed to relinquish all their right, title, interest over the A Schedule Property in favour of the Respondent No.1 herein and he is at liberty to transfer katha and other revenue records in his name by exercising all right of ownership in respect of A Schedule Property.

3. The Respondent No.1 has agreed to relinquish all his right, title, interest over the B Schedule Property in favour of the Appellants/Defendants jointly and they are at liberty to transfer katha and other revenue records in their names by exercising all right of ownership in respect of B Schedule Property.

4. Both the parties undertake that either of the parties do not interfere in the peaceful possession and enjoyment of the party's respective share.

5. Both the parties state that they have no claims of whatsoever nature against each other in future.



6. The parties further state that there has been no collusion or force, fraud or any undue influence by any of the parties to enter into this compromise in the aforesaid manner.

**A-SCHEDULE PROPERTY**

All that piece and parcel of Land bearing Sy.No.11/1 measuring 1.00 acre, out of 1 acre 24 guntas, situated at Koralur Village, Kasaba Hobli, Hosakote Taluk, Bengaluru Rural District with all rights, appurtenance whatsoever hereunder or underneath or above the surface, and bounded on:

East by: Rajakaluve

West by: Remaining portion of same Sy.No.11/1 belongings to Sri Krishnappa, Sri Lokesh, Smt. Mamatha

North by : Land in Sy.No.9/1

South by : Land in Sy. No. 11/2 belongs to K.M.Ramaiah

**B-SCHEDULE PROPERTY**

All that piece and parcel of Land bearing Sy.No.11/1 measuring 24 guntas out of 1 acre 24 guntas situated at Koralur Village, Kasaba Hobli, Hosakote Taluk, Bengaluru Rural District with all rights, appurtenance whatsoever hereunder or underneath or above the surface, and bounded on:

East by : Remaining portion of same Sy. No. 11/1 belongs to Sri Chandrappa

West by: Remaining portion of same Sy. No.11/1 belongings to Sri Krishnappa, Sri Lokesh, Smt. Mamatha

North by: Land in Sy. No.9/1 belongs to



Mrs. Hemavathi W/o Late Shashikumar  
Aryadya

South by : Land in Sy No. 11/3 belongs to  
Mrs. Rekha N.S

IV. In view of the aforesaid agreement, both the parties pray that this Hon'ble court may be pleased to pass appropriate orders, in terms of the aforesaid agreement.

V. In view of the aforesaid agreement, the appellants pray for refund of the court fee.

VI. Parties will appear before the Hon'ble Court for passing necessary orders in terms of the agreement."

3. Parties are present and identified by their respective counsel. On interaction, they have stated that terms of settlement have been explained to them and after understanding same, they affirmed it out of their free will and volition without any threat, coercion or undue influence from anybody.

4. Perused terms of settlement. They appear to be lawful and in best interest of parties. Settlement is accepted.

5. Appeal is **allowed** to extent and in terms of settlement modifying judgment and decree dated 24.02.2023 passed by II Additional District and Sessions Judge, Bangalore



**NC: 2026:KHC:10727  
RSA No. 571 of 2023**

Rural District, Bangalore, in R.A.no.152/2015. Registry is directed to draw decree incorporating terms of settlement.

6. In view of disposal of Appeal, pending interlocutory application stand disposed of accordingly.

**Sd/-  
(RAVI V HOSMANI)  
JUDGE**

HNM  
List No.: 1 Sl No.: 4  
CT-SG