



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 14TH DAY OF MAY, 2026
BEFORE
THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR
REGULAR SECOND APPEAL NO. 1666 OF 2019 (DEC/INJ)

BETWEEN:

1. SRI. L. KRISHNOJI RAO
S/O. LATE LAKSHMAN RAO,
AGED ABOUT 29 YEARS,
R/AT CHIKKABASTHI VILLAGE,
ULLAL SATELLITE POST,
KENGERRI HOBLI, BENGALURU-560 056.

...APPELLANT

(BY SRI. M. S. MANJANNA, ADVOCATE)

AND:

1. SMT. NAGARATHNA
W/O. LATE LAKSHMAN RAO,
AGED ABOUT 45 YEARS,
R/AT CHIKKABASTHI VILLAGE,
ULLAL SATELLITE POST,
KENGERRI HOBLI, BENGALURU-560 056.

...RESPONDENT

(BY SRI. MALLINATH S MAKAR.,ADVOCATE)

THIS RSA IS FILED UNDER SECTION 100 OF CPC AGAINST THE JUDGMENT AND DECREE DATED 16.08.2019 PASSED IN RA.No.31/2014 ON THE FILE OF THE VII ADDITIONAL DISTRICT AND SESSIONS JUDGE, BANGALORE RURAL DISTRICT, BANGALORE, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGMENT AND DECREE DATED 08.08.2013 PASSED IN OS.No.986/2009 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE, BANGALORE RURAL DISTRICT, BANGALORE.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

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by CHANDANA
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Location: High
Court of
Karnataka



ORAL JUDGMENT

This appeal by the respondent in R.A.No.31/2014, is directed against the impugned judgment and decree dated 16.08.2019 on the file of VII Addl. District and Sessions Judge, Bangalore Rural District, Bangalore, wherein the appellate Court has set aside the judgment and decree dated 08.08.2013 passed in O.S.No.986/2009 on the file of II Addl. Senior Civil Judge, Bangalore Rural District, Bangalore.

2. The parties have amicably settled the dispute by way of Compromise. The same is reads as under:

"-:JOINT MEMO:-

The Appellant and Respondent submit as follows:-

1. *The Appellant and Respondent are the Son and mother, the Respondent/Mother had executed the register Gift deed on 28-2-2009 in favour of the Appellant in respect of Residential house property bearing No.5, Katha No.84, measuring East to West to 50 feet and North to South 30 feet, situated at Chikkabasthi Village, Sonnenahalli Dakale, Kegeri Hobli, Bangalore South Taluk, however in the changed circumstances the Respondent herein after execution of the Gift deed, she filed a Declaration suit in O.S No.986/2009 for cancellation of the said Gift deed, before the Senior Civil Judge Bangalore Rural District, after trial said suit was came to be dismissed.*

2. *The Appellant and Respondent further state that, against the said dismissal order the Respondent herein filed a Regular*



Appeal before the 7th Addl, District and Session Judge Bangalore Rural district, in R.A No.31/2014, the Hon'ble 1st Appellate court pleased to allowed the Regular appeal and set aside the dismissal Decree of the Hon'ble trial court, against the said order the Appellant herein had filed a Regular Second Appeal before the Hon'ble Court, the appeal was admitted, then the Respondent appeared through her advocate, when during the pendency of the Regular Second Appeal, due to intervention of the well wisher and relatives, both parties are shown interest to settled the matter amicably, accordingly held a settlement talks in the presence of the Well wisher and relatives, in the result both parties are agreed to settled the matter amicably, under the following terms and conditions i.e.,

i. The Appellant and Respondent have fully agreed that, they would jointly sell the schedule property to the prospective purchaser.

ii. The Appellant and Respondent further agreed that they would equally share the sale proceed amounts of the schedule property.

iii. The Appellant and Respondent further hereby declare that they have not coerced or forced by any person to enter this joint memo and both are having the full knowledge and given free consent to file this joint memo before the Hon'ble court.

Wherefore, the Appellant and Respondent have prays this Hon'ble court be pleased to consider the joint memo and dispose the above appeal as settled out of court, to meet ends of justice and equity."

3. Appellant and respondent have filed Compromise Petition before this Court. The appellant and respondent have agreed to the terms and conditions of the settlement.



4. The appellant and respondent are physically present and have been identified by their respective counsel.

5. In view of the aforesaid settlement arrived at between the parties and in terms of the Compromise Petition, the appeal stands disposed off.

6. In view of the above, I pass the following:

ORDER

- (i) The appeal is hereby disposed off in terms of the Compromise Petition.
- (ii) The impugned judgment and decree dated 16.08.2019 passed by the First Appellate Court in R.A.No.31/2014 and the impugned judgment and decree dated 08.08.2013 passed by the Trial Court in 986/2009 are hereby modified in terms of the aforesaid Compromise Petition.
- (iii) The Registry of this Court is directed to refund the entire Court Fee paid on the memorandum of appeal back to the appellant.



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- (iv) The Registry of the Trial Court is directed to refund the entire Court Fee paid on the memorandum of plaint back to the plaintiff.
- (v) Registry to draw up decree accordingly.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

KBM/BMC
List No.: 2 SI No.: 5