



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

REGULAR FIRST APPEAL NO. 1494 OF 2024 (RES)

BETWEEN:

SRI. VEMANA
S/O LATE SRI.PUTTAIAH,
AGED ABOUT 60 YEARS,
R/AT NO.443-A, 5TH CROSS,
7TH BLOCK (WEST), JAYANAGAR,
WEST OF KANAKAPURA ROAD,
BENGALURU-560 082.
ALSO AT MOK, 152, 9TH CROSS,
LALBAGH FORT ROAD, DODDA MAVALLI,
BENGALURU-560 004.

...APPELLANT

(BY SRI. LEKHA.G.D., ADVOCATE FOR
SMT. KAVITHA DAMODARAN., ADVOCATE)

AND:

1. SRI. K.N.RAJU
S/O LATE G.NARAYANAPPA,
AGED ABOUT 70 YEARS,
2. SMT. P.SHANTHA
W/O SHRI.K.N.RAJU,
AGED ABOUT 60 YEARS,

RESPONDENTS NO.1 AND 2 ARE
R/AT NO.2842, 1ST FLOOR,

Digitally signed by
SUMATHY KANNAN
Location: HIGH
COURT OF
KARNATAKA



SWATHI NILAYA,
17TH CROSS, 4TH MAIN,
BANASHANKARI, 2ND STAGE,
BENGALURU-560 070.

...RESPONDENTS

(BY SRI. S.M.SREERAMA REDDY., ADVOCATE FOR R1 & R2)

THIS RFA IS FILED UNDER SEC.96 R/W ORDER 41 RULE 1 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 05.03.2024 PASSED IN OS NO.8037/2019 ON THE FILE OF VII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU, PARTLY DECREETING THE SUIT FOR EJECTMENT.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
&
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This appeal is filed against the Judgment and Decree dated 05.03.2024 passed by the Hon'ble VII Additional City Civil and Sessions Judge, Bengaluru (CCH-19) in O.S. No.8037/2019.

2. The matter was referred for mediation and the learned counsel appearing on either side submit that the dispute has been mediated and settled. The memorandum of settlement entered into between the parties in mediation is



placed on record along with a report of the mediator. The mediation settlement reads as follows:

"II. The aforesaid appeal was referred to mediation for resolving the dispute between the parties. In the course of mediation, the appellant and the respondent along with their respective counsels were present, identified each other and they have resolved their dispute and have agreed to the following terms and conditions:-

1. The Appellant and Respondents after multiple rounds of mediation and negotiation, agreed that the Appellant shall pay an aggregate sum of Rs. 71,00,000/- (Seventy One Lakh Only) to the Respondents against all claims made by the Respondents against the Appellant.

2. The Appellant has already deposited a sum of Rs. 31,66,779/-(Rupees Thirty One Lakh Sixty Six Thousand Seven Hundred and Seventy Nine Only) before the Hon'ble Court of Karnataka, Bengaluru in RFA 1494/2024, in compliance with the Order dated 22.07.2024.

3. The Appellant agrees that the Respondents can withdraw the sum of Rs. 31,66,779/- (Rupees Thirty One Lakh Sixty Six Thousand Seven Hundred and Seventy Nine Only) deposited by the Appellant before the Hon'ble High Court of Karnataka, Bengaluru, in RFA 1494/2024 and the Appellant shall cooperate to withdraw the said amount.

4. The Appellant agrees that the Respondents can withdraw the sum of Rs. 2,55,000/- (Rupees Two Lakh Fifty Five Thousand Only) deposited by the Appellant before the Hon'ble High Court of Karnataka, Bengaluru, in WP 4927/2020 (Vemana vs KN Raju & Anr) and the Appellant shall cooperate to withdraw the said amount.

5. The Appellant agrees and undertakes to pay the remaining sum of Rs. 36,78,221/- (Rupees Thirty Six Lakh Seventy Eight Thousand Two Hundred and Twenty One Only) in three installments from the date of signing this Agreement, in the following manner.



6. *The Admitted Liability shall be paid to the Respondents through 3 installments as herein below:-*

a) Rs. 10,78,221/- (Rupees Ten Lakhs Seventy Eight Thousand Two Hundred and Twenty One Only) on or before 28.02.2026.

b) Rs. 13,00,000/- (Rupees Thirteen Lakhs Only) on or before 30.03.2026.

c) Rs. 13,00,000/- (Rupees Thirteen Lakh Only) on or before 24.04.2026.

7. Apart from the above they have no other claims against each other."

3. The learned counsel appearing on both sides submit that the parties are ready to abide by the settlement as arrived at.

4. The submissions are recorded.

5. The matter is **disposed of** in terms of the agreement entered into between the parties.

6. The eligible Court fee paid shall be refunded to the appellant on proper identification.

7. Further, it is submitted by the learned counsel appearing for the respondent that the amount of Rs.2,55,000/- (Rupees Two Lakh Fifty-five Thousand only) which is in deposit in WP No.4927/2020 may be released to the first respondent



while the amount of Rs.31,66,779/- (Rupees Thirty-one Lakh Sixty-six Thousand Seven Hundred and Seventy-nine only) which is in deposit before this Court in this appeal may be released equally to the respondents herein. The registry shall do the needful.

8. Interest if any, accrued on the said deposit shall also be released to the respective respondents.

9. Pending Interlocutory Applications shall stand disposed of.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(TARA VITASTA GANJU)
JUDGE

YKL
List No.: 1 Sl No.: 31