



CNR: KAHC010464842021

NC: 2026:KHC:36922-DB
RFA No. 1281 of 2021
C/W RFA No. 1000 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

REGULAR FIRST APPEAL NO.1281 OF 2021 (SP)

C/W

REGULAR FIRST APPEAL NO.1000 OF 2021 (SP)

IN RFA NO.1281/2021

BETWEEN:

SRI B.R. VASUDEVA MURTHY
S/O. T.R. RAMAIAH
AGED ABOUT 42 YEARS
RESIDING AT NO.34
3RD MAIN ROAD, 1ST STAGE
II PHASE, MANJUNATHANAGAR
WEST OF CHORD ROAD
BENGALURU-560 010.

...APPELLANT

(BY SRI T. SESHAGIRI RAO, ADVOCATE)

AND:

SRI B.C. CHANDRASHEKAR
S/O. CHELUVARAJ
AGED ABOUT 44 YEARS
RESIDING AT "RUTHU"
NO.8, V.H. COMPLEX
8TH MAIN ROAD, III PHASE
GIRINAGAR
BENGALURU-560 085.

...RESPONDENT

(BY SRI V.B. SHIVA KUMAR, ADVOCATE)

Digitally
signed by
RAKSHA
Location:
High
Court of
Karnataka



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THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 READ WITH ORDER 41 RULE 1 OF CPC, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 22-10-2021 PASSED IN ORIGINAL SUIT NO.2968 OF 2012 ON THE FILE OF THE XVIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU DISMISSING THE SUIT FOR SPECIFIC PERFORMANCE OF AGREEMENT OF SALE.

IN RFA NO.1000/2021

BETWEEN:

SMT. S. GUNAMBA
AGED ABOUT 56 YEARS
W/O. S. SHIVALINGAPPA
RESIDING AT NO.43/44
7TH MAIN ROAD
SARASWATHIPURA
BENGALURU-560 086
SINCE DEAD REPRESENTED BY LRS

- 1 SRI S. MAHESH KUMAR
AGED ABOUT 54 YEARS
S/O. SRI S. SHIVALINGAPPA
PRESENTLY RESIDING AT
NO.1059, FLAT NO.102
G. FLOOR, 11TH MAIN ROAD
2ND STAGE, MAHALAKSHMIPURAM
BENGALURU-560 086.
2. SMT. MALINI
AGED ABOUT 51 YEARS
D/O. SRI S. SHIVALINGAPPA
RESIDING AT RUTHU, NO.8
V.H. COMPLEX, 8TH MAIN ROAD
III PHASE, GIRINAGAR
BENGALURU-560 085.
3. SMT. MANJULA
AGED ABOUT 44 YEARS
D/O. SRI S. SHIVALINGAPPA
RESIDING AT NO.1059, FLAT NO.102



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G. FLOOR, 11TH MAIN ROAD
2ND STAGE, MAHALAKSHMIPURAM
BENGALURU-560 086.

...APPELLANTS

(BY SRI SHIVARAMU H.C., ADVOCATE)

AND:

SRI B.R. VASUDEVA MURTHY
AGED ABOUT 33 YEARS
S/O. T.R. RAMAIAH
RESIDING AT NO.34
3RD MAIN ROAD
MANJUNATHANAGAR
WEST OF CHORD ROAD
BENGALURU-560 010.

...RESPONDENT

(BY SRI T. SESHAGIRI RAO, ADVOCATE)

* * *

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF CPC, 1908, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 30-7-2021 PASSED IN ORIGINAL SUIT NO.2565 OF 2012 ON THE FILE OF THE XVIII ADDITIONAL CITY CIVIL JUDGE, AT BENGALURU, DECREETING THE SUIT FOR SPECIFIC PERFORMANCE.

THESE REGULAR FIRST APPEALS, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VENKATESH NAIK T



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ORAL JUDGMENT

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

These appeals are preferred against the judgment and decree dated 22.10.2021 passed in O.S. No.2968/2012 by the XVIII Additional City Civil Judge, Bengaluru City (CCH-10).

2. The parties have filed a joint memo stating that the disputes between them have been amicably settled. It is stated that the respondents have agreed to pay a sum of Rs.45,00,000/- (*Rupees forty five lakhs only*) by way of demand draft, and the said demand drafts have been duly handed over before the Court today. The receipt of the demand drafts has also been duly acknowledged by the appellants.

3. In view of the settlement arrived at between the parties, both the appeals are ***dismissed*** as not pressed, recording the compromise.

4. The decree shall be drawn up accordingly. The parties shall sign the order sheet in acknowledgment of having received the amount.



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5. The Court fee paid shall be refunded, as permissible in law, upon proper identification.

Pending Interlocutory Applications shall stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VENKATESH NAIK T)
JUDGE**

AM
List No.: 3 SI No.: 5