



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO. 8368 OF 2019 (FC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 8230 OF 2019

IN MFA. NO.8368 OF 2019

BETWEEN:

SMT. SANDHYA
W/O SUNIL KUMAR,
AGED ABOUT 32 YEARS,
R/AT CHIKKAGOWDARA,
SRI K.S.MUNIHANUMIAH,
COMPOUND, KALKERI,
HORMAVU POST, K.R.PURAM HOBLI,
BENGALURU-560 043.

...APPELLANT

(BY SRI.NANJUNDA GOWDA.M.R., ADVOCATE)

AND:

SRI.SUNIL KUMAR
S/O KALAPPA,
AGED ABOUT 33 YEARS,
C/O SRIPATI,
K.CHANNASANDRA,
HORAMAVU POST,
BENGALURU-560 043.

...RESPONDENT

(BY SRI. MADHU.R., ADVOCATE)



NC: 2026:KHC:31756-DB
MFA No. 8368 of 2019
C/W MFA No. 8230 of 2019

THIS MFA FILED U/S 19(1) OF FC ACT AGAINST THE JUDGMENT AND DECREE DATED 12.09.2019 PASSED IN MC NO.3720/2014 ON THE FILE OF THE PRL.JUDGE, FAMILY COURT, BENGALURU, DISMISSING THE PETITION FILED UNDER SECTION-9 OF HINDU MARRIAGE ACT 1955.

IN MFA NO.8230 OF 2019

BETWEEN:

SMT. SANDHYA
W/O SUNIL KUMAR,
AGED ABOUT 32 YEARS,
R/AT CHIKKAGOWDARA,
SRI K.S.MUNIHANUMAIHAH,
COMPOUND, KALKERI,
HORMAVU POST, K.R.PURAM HOBLI,
BENGALURU-560 043.

...APPELLANT

(BY SRI.NANJUNDA GOWDA.M.R., ADVOCATE)

AND:

SRI.SUNIL KUMAR
S/O KALAPPA,
AGED ABOUT 33 YEARS,
C/O SRIPATI,
K.CHANNASANDRA,
HORAMAVU POST,
BENGALURU-560 043.

...RESPONDENT

(BY SRI. MADHU.R., ADVOCATE)

THIS MFA FILED U/S 19(1) OF FC ACT AGAINST THE JUDGMENT AND DECREE DATED 12.09.2019 PASSED IN MC NO.5163/2016 ON THE FILE OF THE PRL.JUDGE, FAMILY COURT, BENGALURU, ALLOWING THE PETITION FILED UNDER SECTION 13(1) (ia) OF HINDU MARRIAGE ACT 1955, DISMISSING THE PETITION FILED UNDER SECTION 13(1) (ib) OF HINDU MARRIAGE ACT.



**NC: 2026:KHC:31756-DB
MFA No. 8368 of 2019
C/W MFA No. 8230 of 2019**

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
&
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The appellant and respondent are husband and wife. The present appeal MFA No.8368/2019 has been filed by the appellant/wife challenging the decree of divorce granted by the Family Court in M.C.No.3720/2014 filed by the respondent/husband. The appellant/wife has also filed the connected appeal in MFA.No.8230/2019 aggrieved by the order dated 12.09.2019 passed by the Principal Judge, Family Court in M.C.No.5163/2016 dismissing the application of the wife for restitution of conjugal rights.

2. With the consent of the parties, the matter was referred to the Karnataka Mediation Centre, Bengaluru. In mediation proceedings, the parties have settled their disputes amicably and a memorandum of settlement has been signed by the parties who are present before us as



well as their respective counsels and the mediators. The terms and conditions of the settlement have been decided by the parties out of their free will, without any force and coercion. The parties state that they will abide by the terms and conditions of the settlement. The terms of settlement as stated in the Memorandum of Settlement under Section 89 of the CPC read with Rules 24 and 25 of the Karnataka Civil Procedure (Mediation) Rules, 2005, read thus:

"I. The appellant has filed MFA No.8368/2019 challenging the decree of divorce in M.C No.3720/2014 and MFA No.8230/2019 filed by the appellant challenging the dismissal of the Restitution of Conjugal rights petition in M.C.No.5163/2016 passed on 12.09.2019 by the Principal Judge, Family Court, Bengaluru.

II. The aforesaid appeal was referred to mediation for resolving the dispute between the parties. During the course of mediation, the Appellant and the Respondent along with their respective advocates were present to dissolve their disputes and they have agreed the following terms and conditions:

- 1. The Appellant and the Respondent state that they are legally wedded wife and husband and their marriage was solemnized 31.10.2011 at Sri Lakshmivenkateshwara Kalyana Mantapa, Nagawara Signal, Outer Ring Road, H.B.R.Layout, Bengaluru as per Hindu rites and customs.*



2. *Both the parties state that from their wedlock they have a daughter by name Ms.Sanvikaa. K S born on 03.08.2012, who is presently under the care and custody of the Appellant/wife and she shall be the sole custodian and guardian to the minor daughter and sole authority to sign all the documents such as school, Passport, VISA and other documents pertaining to the minor daughter in future for which the Respondent/Father has no objection. However the Respondent is at liberty to visit the minor daughter with out disturbing the education and other curricular activities of the minor child for which the Appellant/wife has no objection.*
3. *The Respondent/Father undertakes to bear entire educational expenses of his daughter Ms.Sanvikaa. KS till completion of her education and the same shall be paid by the Respondent/Father directly to the concerned educational institution.*
4. *The Respondent/Husband has agreed to pay a sum of Rs.60,00,000/- (Rupees Sixty Lakhs Only) Appellant/wife towards the maintenance/permanent alimony as full and final settlement of all her claims. The of Appellant/Wife has accepted the said amount Rs.60,00,000/- (Rupees Sixty Lakhs Only) as full and final settlement of all her claims against the Respondent/Husband and she has no objection for confirming the decree of divorce passed on 12.09.2019 in M.C.No.5163/2016 before the Principal Judge, Family Court, Bengaluru. The Respondent has agreed to pay the aforesaid sum in the following manner:*
 - a) *A sum Rs.30,00,000/- (Rupees Thirty Lakhs Only) shall be paid by way of demand draft bearing No.170780, Date: 10.06.2026, Drawn on Karnataka Bank Limited, Banaswadi Branch, Bengaluru before the Hon'ble High Court of Karnataka, Bengaluru at the time of reporting the settlement in the above case.*
 - b) *A sum of Rs.30,00,000/- (Rupees Thirty Lakhs Only) shall be paid by way of demand draft*



bearing No.170781, Date: 10.06.2026, Drawn on Karnataka Bank Limited, Banaswadi Branch, Bengaluru before the Hon'ble High Court of Karnataka, Bengaluru at the time of closing/quashing the proceedings in Crl.P.No.8691/2018 and Crl.P.No.8704/2018.

5. *Both parties state that they have no claims over the movable/immovable properties against each other either. existing or to be acquired in future.*
6. *Both the parties agree that they have no claims against each other of whatsoever nature.*
7. *In view of this settlement arrived between the parties that they have agreed to withdraw/close/quash the following cases in accordance with law:*
 - a) *C.C.No.54423/2017 which is arising out of Crime No.493/2016 filed by the Appellant against the Respondent and his family members pending on the file of 10th ACJM, Mayohall, Bengaluru city.*
 - b) *Crime No.491/2018 arising out of PCR No.6597/2018 filed by the Appellant against the Respondent pending on the file of 4th ACJM, Bengaluru city.*
 - c) *Crl.Misc No.243/2018 filed by the Appellant against the Respondent pending on the file of 1st MMTC, Mayohall, Bengaluru.*
8. *The Appellant/wife undertakes to co-operate with the close proceedings pending Respondent Crl.P.No.8691/2018 and Crl.P No.8704/2018 pending before to the Hon'ble High Court of Karnataka, Bengaluru to quash the criminal proceedings pending in C.C.No.54423/2017 and Crime No.491/2018.*



9. *O.S.No.684/2017 filed by the Appellant/wife on behalf of minor daughter Ms.Sanvikaa K. S. for the relief of partition is pending before the III Addl. Senior Civil Judge, Bengaluru Rural District at Bengaluru and the same is no way concerned with this compromise.*
10. *Both the petitioners state that, they have no claims over the movable or immovable properties existence at present or to be acquired in future.*
11. *Both the petitioners further agree that they have no other claim of whatsoever manner against each other either past, present or future.*
12. *Both the petitioners further state that there has been no collusion or force, fraud or any undue influence in entering into this agreement in the aforesaid manner.*
13. *Both the petitioners admit that they shall not interfere in the lives of each other and their family members in future.*

3. A demand draft of Rs.30,00,000/- in terms of the memorandum of settlement, bearing No.170780, dated 10.06.2026 drawn on Karnataka Bank Limited, Banaswadi Branch, Bengaluru, in favour of Sandhya V.C. has been handed over to the appellant/wife, today in the Court. The other Demand Draft bearing No.170781 dated 10.06.2026 drawn on Karnataka Bank Limited, Banaswadi Branch has been prepared, which shall be handed over to the



appellant/wife at the time of closing of the proceedings in Criminal Petition No.8691/2018 and Criminal Petition No.8704/2018.

4. We therefore dispose of these appeals in terms of the memorandum of settlement extracted hereinabove.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

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List No.: 1 Sl No.: 33