



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO. 4685 OF 2018 (IDA)

BETWEEN:

MRS. JAYA KIRAN
AGED ABOUT 41 YEARS,
W/O CHARLES KIRANSHEKAR,
R/AT FLAT NO.FF-6,1ST FLOOR,
ALPINE VIEW APARTMENTS,
III CROSS,II MAIN,
GANGANAGAR,
BANGALORE-560 032.

...APPELLANT

(BY SRI. ADELINE NANCY PRINCE,ADVOCATE)

AND:

. MR. CHARLES KIRANSHEKAR
S/O MR C D SHEKAR,
R/AT NO.250,1ST FLOOR,
LAKE SHORE HOMES,
KASAVANAHALLI,
SARJAPURA ROAD,
BANGALORE-560 032.

...RESPONDENT

(BY SRI.TUMBIGI PRABHUGOUDA BASAVANTARAYAGOUDA,
ADVOCATE)

Digitally
signed by
KAVYA G

Location:
High Court
of Karnataka



THIS MFA IS FILED U/S 55(1) OF THE FAMILY COURTS ACT, AGAINST THE JUDGMENT AND DECREE DATED 04/04/2018, PASSED IN MC.NO.664/2011, ON THE FILE OF THE IV ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU, DISMISSING THE PETITION FILED U/SEC.32 OF DIVORCE ACT.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

The aforesaid appeal is filed seeking to set aside the judgment and decree dated 04.04.2018 and 11.04.2018 respectively passed and made in respect of the counter claim in MC No.664/2011 by the IV Additional Principal Judge Family Court, Bangalore.

2. The aforesaid MC No.664/2011 was filed by the respondent/husband seeking a decree of restitution of conjugal rights in his favour. It is evident from the perusal



of the judgment, the counter claim filed by the appellant/wife for relief of divorce on the ground of cruelty was also dismissed, as well as her claim for permanent alimony.

3. A memorandum of agreement dated 29.01.2026 has been sent by the Karnataka Mediation Centre, which is on record. Further, an application has been filed today under Section 10A of the Divorce Act, 1869 for dissolution of the marriage between the parties by mutual consent.

4. In the memorandum of agreement, it is recorded that a sum of Rs.11,80,000/- (Rupees Eleven lakhs eighty thousand only) has been paid by the respondent/husband to the appellant/wife which has been deposited in the account of their daughter.

5. The appellant/wife and their daughter has acknowledged the receipt of the same. The parties have no other claims against each other. Further, all allegations



made against each other have been withdrawn. The parties have agreed not to interfere in the lives of each other and have prayed that their marriage as per Christian rites and customs held on 12.08.2005 at Saint Mark's Cathedral Church, MG Road, Bengaluru, be dissolved by decree of divorce. The aforesaid memorandum of settlement of agreement is signed by the parties and countersigned by their respective advocates.

6. In the application filed today in Court, it is while praying to dissolve their marriage solemnized on 12.08.2005 by passing a decree of divorce on the ground of mutual consent, in paragraph No.5 thereof, it has also been recorded that respondent/husband has no objection to the appellant/wife withdrawing a sum of Rs.2,00,000/- (Rupees Two lakhs only) deposited before this Court in compliance of the order dated 22.01.2025.

7. The aforesaid application is jointly signed by the parties and countersigned by their respective advocates. In support of the application, a verifying affidavit is also on



record of bearing today's date signed by both the parties and duly attested before a Notary. The parties are present in Court and have been identified by their respective advocates.

8. In view of the aforesaid, the memorandum of agreement submitted through the Karnataka Mediation Centre, Bengaluru, is accepted. Further, the application under Section 10A of the Divorce Act, 1869 is allowed. The marriage solemnized between the parties on 12.08.2005 at St. Mark's Cathedral Church, MG Road, Bengaluru, is hereby dissolved and a decree of divorce on the ground of mutual consent is therefore directed to be issued.

9. The compromise agreement shall form part of the decree. The appeal accordingly stands ***disposed of***.

10. A memo has been filed today for release of the deposited amount of ₹2,00,000/-. It is directed that as and when an application is duly made by the appellant -



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wife, the amount as deposited shall be paid to her as per Rules.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(RAJESH RAI K)
JUDGE

SSD
List No.: 1 Sl No.: 24