



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

REGULAR FIRST APPEAL NO.276 OF 2020 (PAR)

BETWEEN:

SHRI CHANDRAIAH
S/O. LATE CHIKKANNA
AGED ABOUT 73 YEARS
RESIDENT OF SONDEKOPPA VILLAGE
DASANAPURA HOBLI
BENGALURU NORTH TALUK
BENGALURU-562 123.

...APPELLANT

(BY SRI T. PRAKASH, ADVOCATE)

AND:

1. SRI GOPALIAIAH
S/O. LATE CHIKKANNA
AGED ABOUT 66 YEARS.

DEAD BY LRS

- 1(A) SMT. GANGAMMA
W/O. LATE GOPALIAIAH
AGED ABOUT 58 YEARS.

- 1(B) SRI MUDDARAJU
S/O. LATE GOPALIAIAH
AGED ABOUT 34 YEARS

BOTH ARE RESIDENTS OF
BYRASANDRA VILLAGE
GULUR HOBLI



TUMAKURU TALUK.
TUMAKURU-572 104.

...RESPONDENTS

(BY SRI FAYAZ SAB B.G., ADVOCATE)

* * *

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF CPC, 1908, AGAINST THE JUDGMENT AND DECREE DATED 18-8-2018 PASSED IN ORIGINAL SUIT NO.250 OF 2015 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC AT TUMAKURU, DECREETING THE SUIT FOR PARTITION AND SEPARATE POSSESSION.

THIS REGULAR FIRST APPEAL, 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

ORAL JUDGMENT

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

This appeal is preferred against the judgment and decree passed in OS No.250/2015 by the II Additional Senior Civil Judge and JMFC, Tumkur dated 18.08.2018.

2. We have heard the learned counsel appearing on either side.

3. It is submitted by the learned counsel appearing on either side that the matter has been settled between the



parties and that a memorandum of settlement has been entered into and a demand draft bearing No.590612 dated 08.06.2026 of ₹12,00,000/- drawn in favour of Sri. Chandraiah is handed over today by the respondent to the appellant. The terms of the settlement read as follows:-

1. In view of this settlement arrived between the parties herein; have agreed that LR's of the Respondent/Plaintiff herein shall retain and enjoy peaceful possession, right title interest in the Item No.1 & 2 of schedule property. So for as Item No.3 is concerned it is a self acquired property of the Appellant/Original Defendant herein and same shall be retained by him. The details of Item 1 to 3 of the suit schedule property as mentioned below.

Properties retained by the LR's of Respondent

Item No.1

The land bearing Sy. No.70/1 totally measuring 2-13 guntas bounded by East: Land belongs to Shivanna and Battegowda, West: Govt. Tank, North: Land belongs to Siddagangaiah South: Land belongs to Akkavva situated at Byrasandra Gulur Hobli, Tumkur Taluk.

Item No.2

The Land bearing No. Sy. No.70/3A1 totally measuring 2-04 guntas bounded by East: Govt. Tank, West: Sri.Shankarappa Devara Hill North: Land belongs to Akkavva and Erachikkajah, South: Land belongs to Siddalingaiah, situated at Byrasandra Gulur Hobli, Tumkur Taluk.



Property retained by the Appellant/Original Defendant

Item No.3 of the Plaint Shcedule

The Land bearing No. Sy.No.10 totally measuring 3-15 guntas out of which 1-27.08 guntas is bounded by East: Govt. Tank, West: Govt. Road, North: Land belongs to Chikkabasavaiah South: Land belongs to Lakshamma situated at Narasandra Village Dasanapura Hobli, Bengaluru North.

2. In view of the settlement the LR's of the Respondent/Plaintiff herein have agreed to pay sum of Rs.12,00,000/- (Rupees Twelve Lakhs Only) to the Appellant/Original Defendant within two months from signing of this settlement agreement before the Hon'ble Court, towards goodwill gesture for settling their all disputes amicably.

3. Both the parties have agreed that there are no further claims, disputes in respect of any of the family assets and both the parties indemnify each other from zero litigation/dispute in future.

4. The Appellant/Original Defendant have agreed to handover the vacant peaceful possession of the Item No.1 and 2 to the LR's of Respondent/Original Plaintiff after the realization of the aforesaid agreed amount.

5. Both the parties confirm that there are no other claims between them of any nature either in past, present or in future. Both the parties shall not claim any right, title or interest against each other over any of the other properties standing in their respective names.

6. Both the parties herein pray that by oversight if there are any cases/complaints arise by either of



them against each other before any authorities the same to be dismissed in view of this settlement agreement.

7. Both the parties state that they have entered in to this agreement on their own and there is no coercion or force from any one.

8. Both the parties agree to appear before the court with their proof of identity to enable the Hon'ble Court to record settlement.

III. In view of the aforesaid agreement entered into between the parties, the parties pray that this Hon'ble High Court be pleased to pass appropriate orders disposing off the above appeal in terms of this agreement.

IV. Parties shall appear before the Hon'ble High Court for passing necessary orders in terms of the agreement whenever the matter is listed before the Hon'ble Court.

4. It is submitted by learned counsel appearing on either side that the parties viz., Chandraiah-appellant, Muddaraju - respondent No.1(b) are present and Smt. Gangamma-respondent No.1(a), the mother of Muddaraju, who is bedridden have signed the settlement. The parties are duly identified by the learned counsel appearing on their behalf.

5. Having considered the contentions advanced and in view of the fact that a settlement has been arrived at between the parties and as all the parties have affixed their signatures



to the settlement, we are of the opinion that the said settlement can be accepted on record.

The appeal is disposed of in terms of the settlement arrived at between the parties. All issues stand settled between the parties. The decree shall be drawn up accordingly.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(VENKATESH NAIK T)
JUDGE

MN
List No.: 3 Sl No.: 18