



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

REGULAR FIRST APPEAL NO. 2352 OF 2019 (DEC/INJ)

BETWEEN:

RADHAMMA
AGED ABOUT 72 YEARS,
W/O LATE ANNAYAPPA,
R/AT NO. 409, 7TH MAIN,
14TH CROSS, SHASHRI NAGAR,
BENGALURU - 560 028.

...APPELLANT

(BY SRI. CHANDRASHEKARA REDDY M V., ADVOCATE)

AND:

1. NAGARAJACHARI
SINCE DEAD BY LRs
- 1(a) JAYAMMA,
AGED ABOUT 63 YEARS,
W/O LATE NAGARAJACHARI
- 1(b) VASU N.,
AGED ABOUT 44 YEARS,
S/O LATE NAGARAJACHARI
- 1(c) KESHAV N.,
AGED ABOUT 40 YEARS
S/O LATE NAGARAJACHARI
- 1(d) MOHAN KUMAR N.,
AGED ABOUT 38 YEARS,
S/O LATE NAGARAJACHARI

ALL ARE RESIDING AT
BI,71/7, 4TH MAIN,

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



J.P.NAGAR, 1ST PHASE,
SHAKAMBARI NAGAR,
BENGALURU SOUTH - 560 078.

...RESPONDENTS

[BY SRI. MAHESH B J., ADVOCATE FOR R1(a) TO R1(d)]

THIS RFA IS FILED UNDER SECTION 96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 11.10.2019 PASSED IN O.S.NO.1888/2003 ON THE FILE OF THE X ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BANGALORE, DECREERING THE SUIT FOR DECLARATION AND PERMANENT INJUNCTION.

THIS APPEAL IS COMING ON FOR *ORDERS*, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL JUDGMENT

This matter was referred to the mediation centre to explore the possibility of settlement. The Court has received the report from the mediation centre.

2. The terms of the settlement dated 12.03.2026 are recorded as under:

"MEMORANDUM OF SETTLEMENT UNDER SECTION 89 OF CPC READ WITH RULES 24 AND 25 OF THE KARNATAKA CIVIL PROCEDURE (MEDIATION) RULES, 2005

I. The Appellant has filed the above appeal set aside the impugned judgment and decree on 11.10.2019 passed by the X Additional City Civil and Session Judge, Bengaluru in O.S.No.1888/2003 whereby the suit filed by Original Respondent/Plaintiff Sri



Nagarajachari for declaration and injunction came to be decreed.

II. The aforesaid appeal was referred to mediation for resolving the dispute between the parties. During the course of mediation, the Appellant and LR's of Respondent along with their respective Advocates were present, identified each other. Both the parties after a thorough discussion with the able assistance of their respective Advocates have resolved their disputes and have agreed to the following terms and conditions:

- 1. Both the parties submit that both parties have agreed to amicably settle the dispute taking into consideration, the duration of the litigation and litigation expenses.*
- 2. Both the parties agreed and undertakes that Sri. Nagarajachari has executed a registered sale deed in favour of Appellant/Defendant vide document No. JAY-1-07685-2020-21 dated 04.03.2021 registered before the Senior Sub-Registrar, Jayangar, Bengaluru city in respect of portion of suit schedule property measuring East to West 35 feet and North to South 1 feet 9 inches totally measuring 61.25 sq.ft. towards northern portion of site No.426 situated at Yadiyuru Nagasandra, 2nd Stage, Banashankari, Bengaluru Old ward No.59, New ward No.167 Shasthrinagar, 14th Cross, New Municipal No.604.*



3. *During the pendency of this appeal said Sir.Nagarjachari who is Respondent herein died on 07.06.2025 leaving behind his wife and 3 children to succeed his estate. The legal heirs of the Respondent herein taking into consideration the execution of sale deed dated 04.03.2021 made in favour of the Appellant/Defendant, hereby confirms the said transaction and agreed to go by the contents of the sale deed.*
 4. *Both the parties state that they have no claims of whatsoever nature against each other in future.*
 5. *This settlement is arrived at voluntarily and with full understanding of its legal consequences, without any coercion, misrepresentation, fraud or undue influence.*
 6. *Both the parties agree to appear before the court with their proof of identity and 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."*



3. The settlement is signed by all the parties, as well as the learned counsel appearing for the appellant and respondents.

4. This Court does not find any impediment to accept the settlement.

5. Accordingly, appeal is ***allowed***.

6. The impugned judgment and decree 11.10.2019 in O.S.No.1888/2003 passed by X Addl.City Civil and Sessions Judge, Bangalore (CCH-26) are set aside and substituted in terms of the settlement. Registry to draw decree accordingly.

7. In view of disposal of the appeal, pending applications, if any, do not survive for consideration and they stand disposed of.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE