



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

REGULAR SECOND APPEAL NO. 1959 OF 2025 (POS)

BETWEEN:

1. SHRI K V DHARMASHEKAR
SON OF LATE VENKATASHETTY,
AGED 56 YEARS,
2. SHRI K V RAVICHANDRA
SON OF LATE VENKATASHETTY,
AGED 51 YEARS,

BOTH ARE R/O ACHANGI VILLAGE,
HALASULLIGE POST, KASABA HOBLI,
SAKLESH PURA TALUK 573 134,
HASSAN DISTRICT.

...APPELLANTS

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka

[BY SRI PRADEEP KUMAR R H., ADVOCATE (PH)]

AND:

1. SHRI S R VENKATESH
SON OF LATE RANGASWAMY,
AGED 61 YEARS,
2. SMT. A SHAKUNTHALA
WIFE OF SHRI S R VENKATESH,
AGED 57 YEARS,
3. SMT. S.V.VANI
WIFE OF SHRI NIRANJAN,
AGED 40 YEARS,



4. SMT. V MEENA
WIFE OF SHRI AKASHY,
AGED 40 YEARS,
5. SHRI VINAY S.V.
SON OF SHRI S.R.VENKATESH,
AGED 35 YEARS,

ALL ARE RESIDENT OF
HENNLI VILLAGE, HEBBASALE POST,
SAKALESH PURA TALUK,
HASSAN DISTRICT - 573 134.

...RESPONDENTS

[BY SRI SRINIVAS A.R., ADVOCATE FOR C/R1 (PH)]

THIS RSA IS FILED UNDER SEC.100 OF CPC., AGAINST
THE JUDGMENT AND DECREE DATED 25.10.2025 PASSED IN
RA NO.27/2024 ON THE FILE OF SENIOR CIVIL JUDGE AND
JMFC, SAKALESHPURA, DISMISSING THE APPEAL AND
CONFIRMING THE JUDGMENT AND DECREE DATED 01.07.2024
PASSED IN OS NO.20/2019 ON THE FILE OF THE ADDITIONAL
CIVIL JUDGE AND JMFC, SAKALESHPURA.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI



ORAL JUDGMENT

Challenging judgment and decree dated 25.10.2025 passed by Senior Civil Judge and J.M.F.C., in R.A.no.27/2024 and judgment and decree dated 01.07.2024 passed by Additional Civil Judge and J.M.F.C., Sakleshpura, in O.S.no.20/2019.

2. During pendency of appeal, appellants had filed joint affidavit stating as follows:

"JOINT AFFIDAVIT

We, 1) Shri K V Dharmashekar S/o Late Venkatashetty, Aged about 56 years, R/at Achangi Village, Halasullige Post, Kasaba Hobli, Sakleshpura Taluk, Hassan District - 573134 and

2) Shri K V Ravichandra S/O Late Venkatashetty, Aged about 51 years, R/at Achangi Village, Halasullige Post, Kasaba Hobli, Sakleshpura Taluk, Hassan District - 573134 do hereby solemnly affirm and state on oath as follows:

- 1. We submit that, we are the Appellants in the above case and we know the facts of the case. Hence, we are swearing to the contents of this Affidavit.*
- 2. We submit that the above appeal is filed challenging the Judgment and decree dated 25.10.2025 in RA No.27/2024 Passed by the Senior Civil Judge and JMFC at*



Sakleshpura and the Judgment and decree dated 1.7.2024 passed in OS No.20/2019 passed by the Addl. Civil Judge and JMFC, Sakleshpura.

3. *We hereby undertake to vacate the suit schedule property within an outer limit of 6 months from today i.e, on or before 9.8.2026 and we also undertake to pay the rent of Rs.4,200/- per month starting from this month i.e, February 2026 to till we vacate and handover the possession of the suit schedule property to the Respondents.*
4. *We state that what is stated above are true and correct to the best of my knowledge."*

3. On previous date, learned counsel for respondents had sought time to secure instructions for disposal of appeal in terms of undertaking.

4. Learned counsel for respondents has filed a memo dated 20.02.2026 stating as follows:

"MEMO FILED BY THE RESPONDENTS

The Respondents most respectfully submit as follows:

1. *The Respondent submits that the Appellants have filed a Joint Affidavit undertaking to vacate and hand over peaceful and vacant possession of the schedule property on or before 09.08.2026, and to pay a monthly rent of ₹4,200/-.*



2. *The Respondents hereby state that they have no objection to the undertaking affidavit filed by the Appellants and agreed to the same, subject to the understanding that:*

- a) The Appellants shall pay a sum of ₹4,200/- (Rupees Four Thousand Two Hundred only) per month towards rent, on or before the 8th day of every month, regularly and without accumulation of arrears.*
- b) The Appellants shall keep and maintain the schedule property in good and tenantable condition and shall not cause any damage or make any unauthorized alterations and shall not carry any illegal activities.*
- c) The Appellants shall vacate and hand over and vacant possession of the property to the Respondents on or before 09.08.2026, or earlier, as undertaken.*

3. *It is respectfully submitted that, in the event of any default, the Respondents shall be at liberty to seek appropriate remedy in accordance with law and the Appellants shall be solely responsible for the cost and consequences thereof.*

WHEREFORE, *the Respondent most respectfully prays that this Hon'ble Court may be pleased to record the undertaking of the Appellants along with the above terms and pass appropriate orders in the interest of justice."*

5. In view of above, appeal is **disposed of** as settled in terms of undertaking given by appellants in their affidavit as noted above. Appellants shall quit and vacate suit premises on



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or before 09.08.2026, handover key to respondents and pay rent of Rs.4,200/- per month from February, 2026, till then.

Since appeal is disposed of as settled, Registry is directed to refund admissible Court Fee to appellants.

Sd/-
(RAVI V HOSMANI)
JUDGE

GRD
List No.: 1 Sl No.: 44