HC-KAR

NC: 2026:KHC:60445
RFA No. 1983 of 2022

CNR: KAHC010544282022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

REGULAR FIRST APPEAL NO.1983 OF 2022 (MON)

BETWEEN:

1. MR. ARUL JOSEPH,
   S/O MARI JOSEPH,
   AGED ABOUT 56 YEARS,

2. MRS. REENA,
   W/O ARUL JOSEPH,
   AGED ABOUT 52 YEARS,

   BOTH ARE PERMANENT
   RESIDENTS OF NO.10,
   OLD NO.40, 6TH CROSS,
   HUTCHINS ROAD,
   BANGALORE - 560 005.

   PRESENTLY R/AT NO.274,
   BANBURRY ROAD,
   OXFORD OX2 7DZ,
   ENGLAND - 0427044.

...APPELLANTS

(BY SRI. BOPAIAH A.G., ADVOCATE)

Digitally signed by N UMA
Location: HIGH COURT OF KARNATAKA

AND:

CANARA BANK,
HAVING ITS HEAD OFFICE AT
NO.112, J.C.ROAD,
BANGALORE - 560 003.

AMONG OTHERS
A BRANCH AT
NO.23/24, WHEELERS ROAD,
COXTOWN, BANGALORE - 560 005.
REPRESENTED BY ITS
SENIOR MANAGER
SUNIL G WANJARI.

…RESPONDENT

THIS RFA IS FILED UNDER ORDER 41 RULE 1 R/W SEC.96 OF CPC AGAINST THE JUDGMENT AND DECREE DATED 16.01.2020 PASSED IN OS No.2142/2015 ON THE FILE OF THE LXXV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU, PARTLY DECREEING THE SUIT FOR RECOVERY OF MONEY.

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

CORAM: HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL JUDGMENT

Learned counsel for the appellants has filed a memo to withdraw the appeal, which reads as under:

> ***"MEMO REPORTING SETTLEMENT***
>
> *The appellants most humbly submits as follows:-*
>
> 1. *That the first appellant is the husband of second appellant*
>
> 2. *That the dispute between the appellants and the respondent has been amicably settled out of court and therefore the appellants are willing to withdraw the appeal since it is settled. Therefore, the appellants prays that this Hon'ble court may be pleased to dismiss the appeal as withdrawn*
>
> 3. *The appellants most respectfully pray that this Hon'ble court may be pleased to order for the refund of court fee to the appellants. That the court fee may kindly be refunded to the first appellant*
>
> *Wherefore, the appellants most respectfully pray that this hon'ble court may be pleased to pass order in this regard, in the interest of justice and equity."*

2. Accepting the said memo and submission of learned counsel for the appellants, the appeal is ***dismissed as withdrawn.***

3. Learned counsel for the appellants prays to refund the court fee to first appellant. Accordingly, Registry is directed

to refund the entire court fee paid in this appeal to the first appellant on proper identification.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

SMJ
List No.: 1 Sl No.: 5