HC-KAR

NC: 2026:KHC:59951
RFA No. 1773 of 2026

CNR: KAHC010630902026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

REGULAR FIRST APPEAL NO.1773 OF 2026 (MON)

BETWEEN:

M/S. SREE SHANMUGA CHIT FUNDS (P) LTD.,
KGF ROAD, DESHIHALLI,
BANGARPET - 563 114.
REP.BY ITS PROPRIETOR
R.N SHANMUGAM,
HE MAY ALSO BE SERVED AT NO.599,
1ST FLOOR, BAZAAR ROAD,
BANGARPET - 563 114.

...APPELLANT

Digitally signed by N UMA
Location: HIGH COURT OF KARNATAKA

(BY SRI. S. BALAKRISHNAN., ADVOCATE)

AND:

1. SMT. SARITHAA PRASAD,
   D/O K.G.V BHAT,
   AGED ABOUT 44 YEARS,
   R/AT NO.16, ACHINTYA NILAYA,
   1ST FLOOR, T.C PALYA,
   MARAGONDANAHALLI,
   K.R PURAM POST,
   BENGALURU - 560 036.

2. NAGARAJAN,
ACCOUNTANT,
SREE SHANMUGA
CHIT FUNDS (P) LTD,
KGF ROAD,
DESIHALLI,
BANGARPET - 563 114.

…RESPONDENTS

(BY SRI. ANANYA DIXIT A., ADVOCATE)

THIS RFA IS FILED UNDER SECTION 96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 04.07.2026 PASSED IN OS.NO.6203/2018 ON THE FILE OF THE I ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (CCH-02) BENGALURU CITY, 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

CNR: KAHC010630902026

ORAL JUDGMENT

The appellant and respondents are personally present before this Court along with their respective Advocates and have filed a joint memo stating that they have settled the matter between themselves amicably on their own will and wish without any undue influence and coercion by any other third party. Therefore, requested to dispose of the appeal as matter settled out of the Court.

2. The above submission is placed on record.

3. To the joint memorandum, the appellant and respondents have put their respective signatures and the Advocates for both the parties have also put their respective signatures. The Joint Memorandum for settlement between the appellant and respondents reads as under:

"JOINT MEMORANDUM FOR SETTLEMENT BETWEEN THE APPELLANT AND RESPONDENT.

The appellant and the respondent in the above matter most respectfully submits as follows:

1. *It is respectfully submitted that the Ld. Principal City Civil and Sessions Judge, Bengaluru (CCH-2), by Judgment and Decree dated 04.07.2026 passed in O.S. No. 6203/2018, decreed the suit in favour of Respondent No. 1/Plaintiff and directed the Appellant/Defendant No. 1 to pay a sum of Rs. 2,07,120/- (Rupees Two Lakhs Seven Thousand One Hundred and Twenty Only), together with interest at the rate of 12% per annum, within two months from the date of the Judgment.*

2. *It is submitted that, being aggrieved by the aforesaid Judgment and Decree, the Appellant preferred the above Regular First Appeal before this Hon'ble Court, seeking the reliefs prayed for in the Memorandum of Appeal.*

3. *It is pertinent to state that, during the pendency of the above appeal, the dispute between the appellant and respondent no.1 was amicably resolved through the intervention of elders and well-wishers. Pursuant to the said settlement, the appellant has paid the agreed settlement amount to respondent no.1, who has duly acknowledged receipt of the same. Accordingly, the parties have mutually agreed*

to settle their disputes and claims on the following terms and conditions:

I. The Appellant and Respondent No. 1 have amicably settled all their claims, disputes and differences in respect of the subject matter of the suit and the Judgment and Decree dated 04.07.2026 passed in O.S. No. 6203/2018. Respondent No. 1 hereby confirms that the said settlement has been arrived at between the parties to his full satisfaction.

II. Respondent No. 1 acknowledges that the Decree stands fully and finally satisfied in terms of the said amicable settlement. She undertakes that she shall have no further claim, of any nature whatsoever, against the Appellant in respect of the subject matter of the suit, the Decree or the present Appeal. She further undertakes not to initiate or pursue any execution or other proceedings to enforce the said Decree.

III. The Appellant further prays that this Hon'ble Court be pleased to direct refund of the court fee paid on the Memorandum of Appeal to the appellant. Respondent No. 1 has no objection to the said refund being ordered in favour of the Appellant.

IV. It is respectfully submitted that the aforesaid compromise has been entered into voluntarily by the Appellant and Respondent No. 1, out of their own free will and volition, without any coercion, undue influence, fraud or misrepresentation. The parties have fully understood the terms and consequences of the compromise and undertake to abide by the same.

***WHEREFORE**, the Appellant and the Respondent No. 1 most respectfully pray that this Hon'ble court may be pleased to record the present compromise in the Interest of Justice and Equity."*

4. The Joint Memorandum is placed on record.

5. Accordingly, the appeal is ***disposed of*** in terms of the Joint Memorandum

6. Draw the decree accordingly.

7. The copy of the Joint Memorandum filed for settlement shall be part and parcel of the decree.

8. Registry is directed to refund the court fee paid in this appeal to the appellant on proper identification.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

SMJ
List No.: 1 Sl No.: 23