HC-KAR

NC: 2026:KHC:61775-DB
MFA No. 8731 of 2023

CNR: KAHC010689772023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

MISCELLANEOUS FIRST APPEAL NO.8731/2023 (FC)

BETWEEN:

SMT. B. S. REVATHI
D/O. B. G. SINGAPPA,
W/O. SRI. A. M. SREEDHARA,
AGED ABOUT 34 YEARS,
WORKING AS ASSISTANT TEACHER AT
SAHYADRI ENGLISH MEDIUM HIGH SCHOOL,
100 FEET ROAD, RAJENDRA NAGARA,
SHIVAMOGGA-577 201,
R/O. 1/193, III CROSS,
JAYANAGAR EXTENSION,
SHIVAMOGGA-577 201.

...APPELLANT

(BY SRI. NAGARAJU, ADVOCATE)

Digitally signed by MAIA K N
Location: HIGH COURT OF KARNATAKA

AND:

SRI. A. M. SREEDHARA
S/O. MAYAPPA,
AGED ABOUT 44 YEARS,
R/O. KASHIPURA MAIN ROAD,
DEVARAJ URS NAGARA,
SHIVAMOGGA-577 201.

...RESPONDENT

(BY SRI. MAHABALESHWARA RAO K N, ADVOCATE)

THIS MFA FILED UNDER SECTION 19(1) OF FAMILY COURTS ACT AGAINST THE JUDGMENT AND DECREE DATED 03.10.2023 PASSED IN MC NO.213/2018 ON THE FILE OF THE

PRL JUDGE, FAMILY COURT, SHIVAMOGGA, ALLOWING THE PETITION FILED UNDER SECTION 13-1(IA) AND (IB) OF THE HINDU MARRIAGE ACT.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
AND
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present appeal has been filed under Section 19 of the Family Courts Act, 1984 against the judgment and decree dated 03.10.2023 passed by the Principal Judge, Family Court, Shivamogga in M.C.No.213/2018 whereby the Miscellaneous Case filed by the respondent/husband came to be allowed and marriage was directed to be dissolved by decree of divorce.

2. During the pendency of this appeal, the parties have settled the dispute outside the Court and have filed joint application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 (**'CPC'**) for disposing of the appeal in terms of the compromise.

3. The said application has been filed jointly by both the appellant and the respondent and also signed by their respective learned counsel. The parties are present before this Court, who have duly identified by their respective learned counsel. They unequivocally state that the terms of the compromise arrived between the parties are without there being any force, coercion or undue influence and out of their freewill. We, therefore, proceed to dispose of the present appeal in terms of the compromise.

4. The terms of the compromise as stated in the application under Order XXVIII Rule 3 of CPC would read as under:

"TERMS OF COMPROMISE

a) That both the appellant and the respondent have agreed that the permanent alimony shall be Rs.10,50,000/- (Rupees Ten Lakh Fifty Thousand only). The respondent has agreed to pay a sum of Rs.10,50,000/- (Rupees Ten Lakh Fifty Thousand only) only towards full and final permanent alimony to the appellant and accordingly the same amount of Rs.10,50,000/- (Rupees Ten Lakh Fifty Thousand only) is paid by the respondent to the appellant by way of Demand Draft bearing No.167074, Dated 02-11-2026, drawn on Karnataka bank, Vinobhanagar branch, Shivamoga issued in favour of the Appellant.

b) The appellant has received the above said DD for the above said amount of Rs.10,50,000/- (Rupees Ten Lakh Fifty Thousand only)in full and final settlement of all her

claims towards past, present and future maintenance as permanent alimony.

c) The appellant hereby undertakes to withdraw all the pending Crl. Misc. petitions filed by her for recovery of maintenance by reporting the factum of compromise voluntarily before the Family Court at shivamogga and further undertakes that she will not claim the arrears of maintenance, if any, in the said proceedings arising out of C.Misc. No.117/2017. In the event Appellant fail to withdraw the pending Crl Misc Petition, then, the Respondent himself submit the copy of this compromise petition before the Family Court Shivamoga and pray for dismissal of the pending Cril Mis Petition and on such presentation, the Hon'ble Family Court shall dismiss the pending Cril. Mis. Petition filed by the Appellant without insisting the appellant to file memo for withdrawal.

d) The appellant further undertakes that she would not claim any maintenance in future pursuant to the order passed in Crl. Misc. No.117/2017 or under any other proceedings.

e) The appellant hereby declares that she has no right, title, interest or claim either now or in future over the movable or immovable properties, whether ancestral or self-acquired of the respondent herein. Thus both the parties have no right or claim against each other's movable and immovable properties held at present or to be acquired in future.

f) The appellant hereby undertakes that she shall not claim any arrears of maintenance as due in view of the full and final settlement of permanent alimony and that she agreed to withdraw all and every petitions filed by her before the family court shivamogga. Further the appellant undertakes that she would not raise any dispute in future with regard to the permanent alimony/maintenance/alleged dowry and in respect of the decree of divorce and the appellant withdraws all allegations and accusations made by her in the above appeal including the above mentioned proceedings before the Family Court.

g) The appellant herein has agreed that she would not move the court in future for any alteration, modification and enhancement of the maintenance/alimony under any

changed circumstances or otherwise for ever and that the appellant has agreed to receive the above amount that is paid by the respondent in lump sum as mentioned above.

h) In view of the above settlement, the appellant prays that the decree passed in M.C.No.213/2018 passed by the Family Court at Shivamogga dated 30-10-2023 granting divorce may kindly be confirmed by noting the terms of the compromise in M.F.A.No.8731/2023.

i) That in view of confirmation of Decree of Divorce and dismissal of M.F.A.No.8731/2023 recording compromise entered between the parties, the MFA No.5003/2024 filed by the Appellant Challenging the order of dismissal of Counter Claim filed U/s.9 of Hindu Marriage Act in M.C.No.213/2018 passed by the Family Court at Shivamogga, does not survive for consideration. Accordingly, the Appellant shall file Memo for withdrawal of MFA No.5003/2024, pending before this Hon'ble Court. Accordingly, the Appellant has undertaken to file necessary memo to withdraw MFA No.5003/2024 in the interest of justice."

5. The respondent has tendered a Demand Draft for Rs.10,50,000/- to the appellant bearing No.167074 dated 02.11.2026 and the same is acknowledged by the appellant.

The appeal is ***disposed of*** in terms of the compromise. Let the compromise decree be drawn accordingly.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

BVK; List No.: 1 Sl No.: 16