



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

REGULAR FIRST APPEAL NO. 180 OF 2013 (SP)

C/W

RFA CROSS OBJECTION NO. 18 OF 2014 (SP),

RFA CROSS OBJECTION NO. 19 OF 2014 (SP)

IN RFA No.180/2013

BETWEEN:

P. DAYANAND PAI,
S/O LATE P.NARASIMHA PAI,
AGED ABOUT 68 YEARS,
R/AT NO.85/1, SHIVASHAKTHI,
K.H.ROAD, BANGALORE-560 027.

...APPELLANT

[BY SRI.V.C.RAJU, ADVOCATE]

AND:

1. NALLAPPA REDDY,
SINCE DEAD BY LRS
R2(A TO C) AND R3 TO 5 ARE THE LRS OF R1
2. A.N.GOPALA REDDY,
SINCE DEAD BY LRS
- 2(A) SMT.SHIVAMMA,
W/O. LATE A.N. GOPALA REDDY
MAJOR
R/AT NO.19, SANTOSH NAGAR,
6TH CROSS, ATTUR VILLAGE,



NC: 2026:KHC:17194-DB
RFA No. 180 of 2013
C/W RFA.CROB No. 18 of 2014
RFA.CROB No. 19 of 2014

YELAHANKA NEW TOWN,
BENGALURU-560 064.

- 2(B) SMT.A.G.MANJULA,
MAJOR
D/O. LATE A.N.GOPALA REDDY,
R/AT FLAT NO.202 (NORTH BLOCK),
"PARISARA FLYING VIEW APARTMENT"
JAKKUR MAIN ROAD,
BYATARAYANAPURA POST,
BENGALURU-560 092.
- 2(C) SRI.A.G.MADHU KUMAR REDDY,
MAJOR,
S/O. LATE A.N.GOPALA REDDY,
R/AT NO.19, SANTOSH NAGAR,
6TH CROSS, ATTUR VILLAGE,
YELAHANKA NEW TOWN,
BENGALURU-560 064.
3. N.MUNIRAJA REDDY
MAJOR
4. N.KRISHNA REDDY,
MAJOR
5. N.MUNIREDY,
AGED ABOUT 39 YEARS,
(RESPONDENT NOS.2 TO 5 ARE
SONS OF NALLAPPA REDDY)

(RESPONDENT NOS.3 TO 5 ARE
R/AT: ANANTHPURA VILLAGE,
YELAHANKA HOBLI,
BENGALURU-560 064)

...RESPONDENTS

[BY SRI.ZULFIKAR KUMAR SHAFI, ADVOCATE AND
SRI.S.LAKSHMI NARAYANA REDDY, ADVOCATE FOR R2(A TO C);
SRI.S.K.VENKATA REDDY, ADVOCATE FOR R3;
SRI.S.SUDHARSHAN REDDY, ADVOCATE FOR R4;
SRI.LOKESH K.S, ADVOCATE FOR C/R5
V/C/O DTD.27.08.2021 R1 DEAD AND R2(A TO C)
AND R3 TO R5 ARE LR'S)]



NC: 2026:KHC:17194-DB
RFA No. 180 of 2013
C/W RFA.CROB No. 18 of 2014
RFA.CROB No. 19 of 2014

THIS RFA IS FILED U/SEC.96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 02.11.2012 PASSED IN O.S.1683/2004 ON THE FILE OF THE II ADDL. SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, DECREETING THE SUIT FOR SPECIFIC PERFORMANCE.

IN RFA.CROB NO.18/2014

BETWEEN:

SRI..N.MUNI REDDY,
AGED ABOUT 44 YEARS,
S/O NALLAPPA REDDY,
R/AT ANANTHAPURA VILLAGE,
YELAHANKA HOBLI,
BANGALORE-560 064.

... CROSS OBJECTOR

(BY SRI. K S LOKESH, ADVOCATE)

AND:

1. SRI. P.DAYANAND PAI,
AGED ABOUT 70 YEARS,
S/O LATE P.NARASIMHA PAI,
R/AT NO.85/1, SHIVASHAKTHI,
K.H ROAD, BANGALORE-560 027.
2. SRI.NALLAPPA REDDY,
S/O LATE MUNIYAPPA REDDY,
AGED ABOUT 83 YEARS,
3. SRI.A.N.GOPAL REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 58 YEARS,
4. SRI. N.MANIRAJA REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 50 YEARS,
5. SRI.N.KRISHNAREDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 40 YEARS,

RESPONDENTS 2 TO 5 ARE R/O.
ANANTHAPURA VILLAGE,



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YELAHANKA HOBLI,
BANGALORE-560 064.

...RESPONDENTS

THIS RFA CROB IN RFA FILED UNDER ORDER XLI RULE 22 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 02.11.2012 PASSED IN OS.NO.1683/2004 ON THE FILE OF THE II ADDL. SR. CIVIL JUDGE, BANGLURU (R) DIST BENGALURU, DECREETING THE SUIT FOR SPECIFIC PERFORMANCE.

IN RFA.CROB NO.19/2014

BETWEEN:

1. SRI.NALLAPPA REDDY,
S/O LATE MUNIYAPPA REDDY,
AGED ABOUT 86 YEARS,
2. SRI.N.MUNIRAJA REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 55 YEARS,
3. SRI N.KRISHNA REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 48 YEARS,

ALL ARE RESIDENTS OF
ANANTHAPURA VILLAGE,
YELAHANKA HOBLI,
BANGALORE-560 064.

...CROSS OBJECTORS

(BY SRI.JAGADEESH BABU B.N., ADVOCATE AND
SRI.S.SUDHARSHAN REDDY, ADVOCATE)

AND:

1. SRI.P.DAYANAND PAI,
AGED ABOUT 70 YEARS,
S/O LATE P. NARASIMHA PAI,
R/AT NO.85/1, SHIVASHAKTHI,
K.H ROAD, BANGALORE-560 027.



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2. SRI.A.N.GOPAL REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 58 YEARS,
3. SRI.N.MUNI REDDY,
S/O NALLAPPA REDDY,
AGED ABOUT 41 YEARS,

RESPONDENTS 2 AND 3 ARE
R/AT ANANTHAPURA VILLAGE,
YELAHANKA HOBLI,
BANGALORE-560 064.

...RESPONDENTS

THIS RFA CROB IN RFA FILED UNDER ORDER XLI RULE 22 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 02.11.2012 PASSED IN OS.NO.1683/2004 ON THE FILE OF THE II ADDL., SR.CIVIL JUDGE, BENGALURU (R) DIST., BENGALURU, DECREETING THE SUIT FOR SPECIFIC PERFORMANCE.

REGULAR FIRST APPEAL AND REGULAR FIRST APPEAL CROSS OBJECTIONS ARE COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Memos for withdrawal of the appeal and cross objections have been filed seeking to withdraw the matters as the parties have settled their dispute out of Court and have entered into a registered Joint Development Agreement dated 05.03.2026.



The aforesaid memos for withdrawal are not being opposed by the learned counsel for the respondents.

2. The appeal and Cross objections are accordingly dismissed.

3. Learned counsel for the appellant has submitted in Court a memo for refund of Court fees. The memo is accepted. Since the parties have entered into a settlement out of Court on the basis of which the appeal has been dismissed as withdrawn, the Court fee paid shall be refunded in terms of Section 66(2) of the Karnataka Court Fees and Suits Valuation Act.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(RAJESH RAI K)
JUDGE