



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

REGULAR FIRST APPEAL NO. 951 OF 2014 (DEC/INJ)

BETWEEN:

1. SRI. P L KRISHNA MURTHY
S/O LATE LAKSHMANA,
RESIDING AT A PORTION OF HOUSE
HAVING MUNICIPAL NO.1142/16,
17TH MAIN ROAD, GOVT.SCHOOL ROAD,
SRINAGAR, BANGALORE - 560 050.
2. SMT. G K SARASWATHI
MAJOR,
W/O SRI. P.L.KRISHNA MURTHY,
RESIDING AT A PORTION OF HOUSE
HAVING MUNICIPAL NO.1142/16,
17TH MAIN ROAD, GOVT.SCHOOL ROAD,
SRINAGAR, BANGALORE - 560 050.



...APPELLANTS

(BY SRI. SAGAR B B, ADVOCATE)

AND:

SMT MUNIYAMMA
W/O LATE GOVINDAPPA,
SINCE DECEASED BY HER LR'S:

1. SMT VIJAYALAKSHMI,
D/O LATE GOVINDAPPA AND LATE MUNIYAMMA,
W/O SWAMIYAPPAN,



SINCE DECEASED BY HER LR'S:

- 1(a) P L SWAMIYAPPAN
AGED ABOUT 70 YEARS
HUSBAND OF LATE VIJAYALAKSHMI
SINCE DECEASED BY HIS LR'S

- 1(b) LAXMIPATHY
AGED ABOUT 29 YEARS
S/O LATE VIJAYALAKSHMI

- 1(c) SMT. PARIAMALA
AGED ABOUT 32 YEARS
D/O LATE VIJAYALAKSHMI

- 1(d) SMT. MAHESHWARI
AGED ABOUT 30 YEARS
D/O LATE VIJAYALAKSHMI

- 1(e) SMT. MAHALAKSHMI
AGED ABOUT 32 YEARS
D/O. LATE SMT. VIJAYALAKSHMI

ALL ARE RESIDING AT
NO.42, 2ND MAIN ROAD
SAKAMMA GARDEN, BASAVANAGUDI
BENGALURU – 560 004.

G SATHYANARAYAN
S/O LATE GOVIDNAPPA AND LATE SMT MUNIYAMMA,
SINCE DECEASED BY HIS LRS:

2. SMT.SRIDEVI.P,
W/O LATE G.SATHYANARAYANA,
AGED ABOUT 43 YEARS,



3. MS. MAMATHASHRI S
D/O LATE G.SATHYANARAYANA,
AGED ABOUT 22 YEARS,

4. MS DEEPASHRI S
D/O LATE G.SATHYANARAYANA,
AGED ABOUT 17 YEARS

5. MASTER VISHNU S
S/O LATE.G.SATHYANARAYANA,
AGED ABOUT 14 YEARS,

R4 AND R5 SINCE WERE MINORS AS ON THE DATE
OF INSTITUTION OF THE SUIT, THEY WERE
REPRESENTED
BY THERE MOTHER AND NEXT FRIEND
SMT. SRIDEVI.P

6. SMT RAJESHWARI
AGED ABOUT 41 YEARE,
D/O LATE GOVINDAPPA AND LATE SMT.MUNIYAMMA,
W/O VENKATESH,

ALL OF THEM
RESIDING AT
NO.42, 2ND MAIN ROAD,
SAKAMMA GARDEN, BASAVANAGUDI,
BANGALORE – 560 004.

7. THE ASSISTANT REVENUE OFFICER
GIRINAGAR WARD, BRUHAT BANGALORE
MAHANAGARA PALIKE,
CHENNAMMANAKERE ACHUKAT,
OPP. S.S.M. SCHOOL,
BANGALORE – 560 053.

8. MISS. K DHANALAKSHMI



D/O LATE P L KRISHNAMURTHY
AGED ABOUT 40 YEARS
RESIDING IN PORTION OF HOUSE
HAVING MUNICIPAL NO.1142/16
17TH MAIN ROAD,
GOVT. SCHOOL ROAD, SRINAGAR
BANGALORE - 560 050.

9. MISS K.SHALINI
W/O DILIP KUMAR
D/O LATE P KRISHNAMURTHY
RESIDING IN PORTION OF HOUSE
HAVING MUNICIPAL NO.1142/16
17TH MAIN ROAD,
GOVT. SCHOOL ROAD, SRINAGAR
BANGALORE - 560 050.

...RESPONDENTS

(BY SRI. G R ANANTHARAM, ADVOCATE FOR R1(B-E) & R6;
SRI. SACHIN V R, ADVOCATE FOR R2-R5
SRI. AMIT DESHPANDE, ADVOCATE FOR R7;
R1(B-E) ARE THE LRs OF DECEASED R1(A))

THIS RFA IS FILED UNDER SEC.96 R/W. ORDER XLI RULE
1 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED
04.06.2014 PASSED IN O.S.NO.5418/2011 ON THE FILE OF
THE IX ADDITIONAL CITY CIVIL & SESSIONS JUDGE,
BANGALORE AND ETC.,

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 S RACHAIAH



ORAL JUDGMENT

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

The present Regular First Appeal has been filed under Section 96 of the Code of Civil Procedure, 1908, impugning the judgment and decree dated 04.06.2014 passed in O.S No.5418/2011, filed by the plaintiffs / respondents.

2. The parties have settled their dispute outside the Court. The appellants wants to withdraw the appeal for which memo of even date has been filed. The memo is taken on record. The memo reads as under:-

"MEMO FOR WITHDRAWAL

The Appellant humbly submits that, the Respondent No.1(b)'s Grandmother instituted a suit in O.S. No. 5814 of 2011 on the file of the City Civil Court at Bengaluru (CCH-05), against the Appellant and her husband, which was decreed in-favour of Respondent No. 1(b)'s grandmother. Thereafter, the Appellant and her late husband filed the above Regular First Appeal challenging the said judgment and decree dated 04/06/2014.

The Appellant submits that, on the advice of well-wishers, considering her old age and other reasons, and also pursuant to the suggestions of this Hon'ble Court to arrive at an amicable



settlement, she has agreed to settle the matter. Respondent No. 1(b) has solely agreed to pay a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) on behalf of all other Respondents.

The Respondent No.1(b) has agreed to withdraw private complaint 10669/24 and Both parties have agreed to live peacefully without filing frivolous cases against each other.

Respondent No. 1(b) has already paid Rs. 18,00,000/-(Rupees Eighteen Lakhs only) by Demand Draft No. 152604 dated 25/02/2026 drawn on Karnataka Bank, Jayanagar IV Block Branch, Bengaluru, and the balance Rs. 2,00,000/- (Rupees Two Lakhs only) by cash. Thus, the Appellant has received the full settlement amount of Rs. 20,00,000/- from Respondent No. 1(b). The Appellant has handed over the keys to the schedule premises to Respondent No. 1(b) before this Hon'ble Court.

Both Appellant and Respondent has no further claims whatsoever against each other.

Wherefore the Appellant humbly prayed that this Hon'ble Court may be pleased to permit the Appellant to withdraw the above appeal and dismiss the same as withdrawn, in the interests of justice and equity."



3. The amount agreed by the respondent No.1(b) for payment of Rs.20,00,000/- (Rupees Twenty Lakhs only) in favour of the appellants, has been paid, as per the averments in the memo.

4. Accordingly, we dismiss the appeal as withdrawn.

In view of the disposal of the appeal, pending applications do not survive for consideration and they are also disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**

BSS
List No.: 2 Sl No.: 7