



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

REGULAR FIRST APPEAL NO. 1040 OF 2025 (SP)

BETWEEN:

SRI M TULASI DAS,
S/O LATE.M N MUDDANNA,
AGED ABOUT 79 YEARS,
R/AT NO.244, VENKATESHWARA KRUPA,
6TH MAIN, 4TH BLOCK, JAYANAGAR,
BANGALORE 560 011.

...APPELLANT

(BY SRI PRAVEEN HEGDE, ADVOCATE)

AND:

1. SRI M K GOWTHAMCHAND,
S/O LATE.M K DHARIWAL,
AGED ABOUT 66 YEARS,
R/AT NO-12, RT STREET,
BANGALORE 560 053.
2. SMT. ANITHA R BOHRA,
W/O M.RAJENDRA,
AGED ABOUT 58 YEARS,
R/AT NO-228, SEPPINGS ROAD,
BANGALORE 560 001.

...RESPONDENTS

(BY SRI CHANDRASHEKARA K, ADVOCATE FOR R-1)





THIS RFA IS FILED UNDER SEC.96 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 19.09.2009 PASSED IN OS NO.7127/2008 ON THE FILE OF V ADDITIONAL CITY CIVIL JUDGE, BANGALORE., DECREERING THE SUIT FOR SPECIFIC PERFORMANCE.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

Learned counsel for the appellant has filed a memo seeking leave of this Court to withdraw the appeal on the ground that the dispute has been settled between the parties before the trial Court. The memo reads as under:

"The Counsel for the appellant herewith submits that this Hon'ble Court be pleased to dismiss the above Appeal as Withdrawn, as the matter is settled between the parties, outside the purview of this Hon'ble Court, in the interest of justice and equity."

2. In view of the aforesaid memo, the appeal is ***dismissed*** as withdrawn.



3. The Registry is directed to refund the eligible Court fee to the appellant on proper identification.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

ABK
List No.: 1 Sl No.: 37