



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REGULAR SECOND APPEAL NO. 848 OF 2017 (RES)

BETWEEN:

SRI. K.V. VENKATARAVANA @ VENKATARONAPPA
S/O. KADAPALA VENKATARAYAPPA,
AGED ABOUT 53 YEARS,
RESIDING AT CHELUR VILLAGE AND HOBLI,
BAGEPALLI TALUK,
CHIKKABALLAPURA DISTRICT - 562 101.

...APPELLANT

(BY SRI. RAMESH H.N., ADVOCATE)

AND:

1. SRI. G.N. VENKATARAMANAPPA
S/O JYOTHINAGARAM NARASIMHAPPA,
AGED ABOUT 68 YEARS,
RESIDING AT CHELUR VILLAGE AND HOBLI,
BAGEPALLI TALUK,
CHIKKABALLAPURA DISTRICT - 562 101.

2. SMT. SUBBAMMA
W/O KADAPALA VENKATARAYAPPA,
AGED ABOUT 68 YEARS,
RESIDING AT CHELUR VILLAGE AND HOBLI,
BAGEPALLI TALUK,
CHIKKABALLAPURA DISTRICT - 562 101.

...RESPONDENTS

(BY SRI. J.N. NAVEEN, ADVCOATE FOR R1;
V/O. DT:27.01.2023, APPEAL AGANST R2
STANDS ABATED)





THIS RSA IS FILED U/S. 100 OF CPC., PRAYING TO CALL FOR RECORDS IN O.S.NO.147/2005 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC AT CHIKKABALLAPURA AND ALSO THAT OF THE RECORDS IN R.A.NO.51/2014 ON THE FILE OF THE PRINCIPAL DISTRICT JUDGE AT CHIKKABALLAPURA AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL JUDGMENT

This appeal is preferred by the plaintiff assailing the judgment and decree dated 24.01.2017 in R.A.No.51/2014 on the file of Principal District Judge, Chikkabalapur, (hereinafter termed as 'First Appellate Court'), dismissing the appeal and confirming the judgment and decree dated 05.11.2014 in O.S.No.147/2005 on the file of Additional Senior Civil Judge & JMFC, Chikkaballapur, (hereinafter termed as 'Trial Court'), dismissing the suit of the plaintiff.

2. For the sake of convenience, parties are referred to as per their ranking before the Trial Court.



3. It is submitted by the learned counsel appearing for the parties that, the parties to the *lis* have compromised the issue. Accordingly, the parties have preferred the Compromise Petition under Order XXIII Rule 3 read with Section 151 of Code of Civil Procedure, 1908.

4. It is submitted by the learned counsel appearing for the parties that, the respondent No.2 is no more. Accordingly, the appeal abates insofar as the respondent No.2 is concerned.

5. The plaintiff and defendant No.1 submitted that they have agreed for the Compromise Petition. The parties are identified through their learned counsels. It is also submitted by the parties that the compromise has been entered into voluntarily without any fraud or undue influence.

6. Accordingly, the Compromise Petition is accepted. The judgment and decree passed by the Courts below are modified in terms of the Compromise Petition.



7. Accordingly, the Regular Second Appeal is *disposed of*.

8. The averments made in the Compromise Petition were read over and explained to the parties in Telugu, a language known to them, and the same were accepted by the learned counsel representing the parties.

9. In view of the disposal of the Regular Second Appeal, I.A.No.1/2017 does not survive for consideration and accordingly disposed of.

**SD/-
(E.S.INDIRESH)
JUDGE**