



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

REGULAR FIRST APPEAL NO. 767 OF 2011 (DEC/INJ)

C/W

REGULAR FIRST APPEAL NO. 768 OF 2011 (INJ)

IN RFA No. 767/2011

BETWEEN:

1. SRI. MOHAN REDDY
S/O LATE NARALAPPA REDDY
AGED ABOUT 59 YEARS
R/AT NO.35, 3RD CROSS
LINGAIAH PALYA, ULSOOR
BANGALORE - 560 008.
2. SRI. M. JAYAPRAKASH
S/O LATE NARALAPPA REDDY,
AGED ABOUT 51 YEARS,
R/A DODDABASWADI
K.R. PURA HOBLI,
BANGALORE SOUTH TALUK.

...APPELLANTS

(BY SRI. P.M. SIDDAMALLAPPA, ADVOCATE)

AND:

1. SMT. ASWATHAMMA
D/O LATE AKKAMMA





SINCE DEAD BY HIS LR'S

- 1(A). MUNIAJA REDDY
AGED ABOUT 38 YEARS
S/O ASWATHAMMA
- 1(B). R. SRIDHAR
AGED ABOUT 33 YEARS
S/O ASWATHAMMA
- 1(C). VISHWANATH REDDY
AGED 30 YEARS
S/O ASWATHAMMA
- 1(D). RAJESHWARI
AGED ABOUT 22 YEARS
D/O ASWATHAMMA

ALL ARE RESIDING AT NO.134,
OLD POST OFFICE ROAD,
DODDABANASAWADI,
BENGALURU - 560 043.

- 2. SPECIAL DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT
BANGALORE - 560 001.
- 3. THE ASSISTANT COMMISSIONER
BANGALORE NORTH SUB-DIVISION
BANGALORE - 560 001.
- 4. THE REVENUE INSPECTOR
HORAMAVU PANCHAYAT
K.R. PURA HOBLI,
BANGALORE EAST TALUK,



NC: 2026:KHC:11653
RFA No. 767 of 2011
C/W RFA No. 768 of 2011

BANGALORE - 560 037.

5. THE STATE OF KARNATAKA
BY ITS SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI. P. KRISHNAPPA, ADVOCATE AND
SRI. K.B. BHANUPRASAD, ADVOCATE FOR R1 (A TO D);
VIDE ORDER DATED 28.06.2011, NOTICE TO R2 TO R5 IS
DISPENSED WITH)

THIS RFA IS FILED U/S 96 OF CPC., AGAINST THE
JUDGMENT AND DECREE DATED 22.01.2011 PASSED IN
OS.7463/2002 ON THE FILE OF THE ADDL. CITY CIVIL JUDGE,
BANGALORE, DISMISSING THE SUIT FOR DECLARATION AND
INJUNCTION.

IN RFA NO. 768/2011

BETWEEN:

1. SRI. MOHAN REDDY
S/O LATE NARALAPPA REDDY
AGED ABOUT 59 YEARS
R/AT NO.35, 3RD CROSS
LINGAIAH PALYA, ULSOOR
BANGALORE - 560 008.
2. SRI. M. JAYAPRAKASH
S/O LATE NARALAPPA REDDY
AGED ABOUT 51 YEARS
R/A DODDABANSWADI,
K.R. PURA HOBLI,



BANGALORE SOUTH TALUK - 560 037

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VIDE ORDER DATED 28.06.2011, NOTICE TO R2 TO R5 IS
DISPENSED WITH)



NC: 2026:KHC:11653
RFA No. 767 of 2011
C/W RFA No. 768 of 2011

THIS RFA IS FILED U/S 96 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 22.01.2011 PASSED IN OS.549/2003 ON THE FILE OF THE XL-ADDL. CITY CIVIL JUDGE, BANGALORE, DECREEDING THE SUIT FOR INJUNCTION.

THESE APPEALS, COMING ON FOR HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL JUDGMENT

These two appeals are by the plaintiffs in O.S.No.7463/2002. The plaintiffs are aggrieved by the dismissal of the title suit filed by them in O.S.No.7463/2002 and are also aggrieved by the injunction granted against them in O.S.No.549/2003. Therefore, an appeal is filed in RFA.No.767/2011 assailing the dismissal of the title suit in O.S.No.7463/2002, while the connected RFA.No.768/2011 is filed assailing the decree for injunction granted in O.S.No.549/2003.

2. Today, a joint compromise petition is presented before this Court. The plaintiffs in O.S.No.7463/2002 and the legal heirs of late Smt. Ashwathamma, who are



arrayed as respondent Nos.1(a) to 1(d), are personally present before the Court.

3. This Court has queried the parties to ascertain the voluntariness and genuineness of the settlement. On a specific query, the defendants, who are present before the Court, unequivocally state that the dispute has been amicably settled and that the terms of settlement are correctly incorporated in the joint compromise petition. They further submit that the contents of the compromise petition have been read over and explained to them by their learned counsel and that they have understood and accepted the same without any coercion or undue influence.

4. Likewise, plaintiff Nos.1 and 2, who are also present before the Court, affirm the amicable settlement entered into between the parties. They submit that the terms and conditions embodied in the joint compromise petition have been read over and explained to them by



their counsel and that they have voluntarily affixed their signatures to the compromise petition in token of acceptance.

5. In view of the categorical statements made by the parties that they have resolved the entire lis and have given a quietus to all their disputes, the joint compromise petition, along with the rough sketch annexed thereto, is taken on record. The said rough sketch shall form an integral part of the compromise petition and shall be read as part and parcel thereof.

6. As per the terms of the compromise, the defendants, who are acknowledged as the owners in view of the settlement, have agreed to relinquish and give up their claim to an extent of 9 guntas in Survey No.106/1, which is depicted in the sketch as the western portion. The remaining eastern portion, as shown in the sketch, shall be retained by the defendants.



7. In view of the amicable settlement arrived at between the parties, this Court passes the following:

ORDER

- i. The captioned appeals are disposed of in terms of the joint compromise petition;
- ii. The judgment and decree passed in O.S.No.7463/2002 and O.S.No.549/2003 stand modified in terms of the joint compromise petition and the sketch annexed thereto;
- iii. The office is directed to draw a fresh decree strictly in conformity with the terms of the joint compromise petition. It is made clear that the sketch annexed to the compromise petition shall be treated as part and parcel of the decree.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE