



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

REGULAR FIRST APPEAL NO.2088 OF 2023 (DEC/POS)

BETWEEN:

1. SRI AUROBINDA NANDA
AGED ABOUT 54 YEARS
S/O SRI B P NANDA
2. SMT. DHARITRI NANDA
AGED ABOUT 48 YEARS
W/O ARUOBINDA NANDA

BOTH ARE RESIDING FLAT NO.177,
'RAINBOW RESIDENCY',
JUNNASANDRA VILLAGE,
CARMELARAM POST,
SARJAPURA ROAD
BANGALORE - 560 035

...APPELLANTS

(BY SRI. SUDHAKAR G. V., ADVOCATE)

AND:

1. SRI GANESH
AGED ABOUT 62 YEARS
S/O SRI SRIRAMAPPA
RESIDING AT NO.19,
'MANJUNATHA NILAYA',



16TH CROSS, KAGGADASAPURA POST,
C.V. RAMAN NAGAR,
BANGALORE - 560 093.

2. SRI RUDRASWAMY
AGED ABOUT 60 YEARS
S/O LATE HUCEERAIHAH,
RESIDING AT KANCHUGAL,
BANDEMUTT POST,
MAGADI TALUK - 562120.

3. M/S. ADARSH DEVELOPERS
NO.10, VITTAL MALLYA ROAD
BANGALORE - 560 001
REPRESENTED BY ITS DIRECTOR/PARTNER

...RESPONDENTS

(BY SMT. CHANDRAKALA G., ADV. FOR R1;
SRI. K.S.VENKATARAMANA, ADV. FOR C/R2;
SRI. G. CHANDRAHASA, ADV. FOR R3)

THIS RFA IS FILED UNDER SEC.96 OF CPC., AGAINST
THE JUDGMENT AND DECREE DATED 27.07.2023 PASSED IN
OS NO.26313/2012 ON THE FILE OF LXXIII ADDITIONAL CITY
CIVIL AND SESSIONS JUDGE, MAYOHALL UNIT, BENGALURU.,
(CCH-74)., DISMISSING THE SUIT FOR DECLARATION,
POSSESSION AND INJUNCTION.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU



ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

A memo is filed seeking dismissal of the appeal as not pressed stating that the matter has been settled out of Court by executing a Cancellation Deed and Confirmation Deed dated 27.10.2025.

2. In the above view of the matter, the appeal is ***dismissed as not pressed.***

3. The Registry is directed to refund the eligible Court fee to appellant No.1 on proper identification.

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

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

RAK,List No.: 3 Sl No.: 0