



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
REGULAR SECOND APPEAL NO. 5044 OF 2008 (SP)
C/W
REGULAR SECOND APPEAL NO. 5042 OF 2008 (DEC/INJ)

IN RSA NO.5044/2008

BETWEEN:

SHRI NINGAPPA BALAPPA GHOUGALA,
AGE: 58 YEARS, OCC: AGRICULTURE,
R/O. NILAJI-591317,
TALUK: RAIBAG, DIST. BELGAUM.

...APPELLANT

(BY SRI B. S. KAMATE, ADVOCATE)

AND:

1. SHRI SUBRAO PARISA VANTAGUDE,
SINCE DECEASED BY LRS.
- 1A. MAHAVEER SUBRAO VANTAGUDE,
SINCE DECEASED BY LRS 1(B) TO 1(D).
- 1B. RATNAVVA RATNAPPA DODDAMANI,
AGE: 34 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI,
TQ. JAMAKHANDI-587301, DIST. BAGALKOTE.
- 1C. RAJASHREE TAVANAPPA JAIN,



NC: 2026:KHC-D:4637
RSA No. 5044 of 2008
C/W RSA No. 5042 of 2008

AGE: 30 YEARS, OCC: NOT KNOWN,
R/O. BAIRATTI SUNADALLI,
TQ. GOKAK, DIST. BELGAUM.

1D. PARIS SUBBARAO VANTAGUDE,
AGE: 35 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI, TQ. JAMAKHANDI-587301,
DIST. BAGALKOTE.

...RESPONDENTS

(BY SRI RAMACHANDRA A. MALI, ADVOCATE)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 24.06.2008 PASSED BY THE LEARNED ADDITIONAL CIVIL JUDGE (SR.DN.) GOKAK IN R.A.NO.6/2003 AND THE JUDGMENT AND DECREE DATED 21.12.2002 PASSED BY THE LEARNED PRINCIPAL CIVIL JUDGE (JR.DN.) RAIBAG, IN O.S.NO.35/1999 AND FURTHER THE SUIT O.S.NO.35/1999 FILED BY THE APPELLANT/PLAINTIFF MAY KINDLY BE DECREED BY ALLOWING THIS RSA WITH COSTS IN THE INTEREST OF JUSTICE AND EQUITY.

IN RSA NO. 5042 OF 2008

BETWEEN:

SHRI NINGAPPA BALAPPA GHOUGALA,
AGE: 58 YEARS, OCC: AGRICULTURE,
R/O. NILAJI-591317,
TALUK: RAIBAG, DIST. BELGAUM.

...APPELLANT

(BY SRI B. S. KAMATE, ADVOCATE.)



AND:

1. SHRI SUBRAO PARISA VANTAGUDE,
SINCE DECEASED BY LRS.
- 1A. MAHAVEER SUBRAO VANTAGUDE,
SINCE DECEASED BY LRS 1(B) TO 1(D).
- 1B. RATNAVVA RATNAPPA DODDAMANI,
AGE: 34 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI,
TQ. JAMAKHANDI-587301,
DIST. BAGALKOTE.
- 1C. RAJASHREE TAVANAPPA JAIN,
AGE: 30 YEARS, OCC: NOT KNOWN,
R/O. BAIRATTI SUNADALLI,
TQ. GOKAK, DIST. BELGAUM.
- 1D. PARIS SUBBARAO VANTAGUDE,
AGE: 35 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI,
TQ. JAMAKHANDI-587301,
DIST. BAGALKOTE.
2. SMT. BALAWWA W/O. SUBAO,
SINCE DECEASED BY LRS.
- 2A. MAHAVEER SUBRAO VANTAGUDE,
SINCE DECEASED BY LRS 2(B) TO 2(D).



NC: 2026:KHC-D:4637
RSA No. 5044 of 2008
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2B. RATNAVVA RATNAPPA DODDAMANI,
AGE: 34 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI,
TQ. JAMAKHANDI-587301,
DIST. BAGALKOTE.

2C. RAJASHREE TAVANAPPA JAIN,
AGE: 30 YEARS, OCC: NOT KNOWN,
R/O. BAIRATTI SUNADALLI,
TQ. GOKAK, DIST. BELGAUM.

2D. PARIS SUBBARAO VANTAGUDE,
AGE: 35 YEARS, OCC: NOT KNOWN,
R/O. HUNASHIKATTI,
TQ. JAMAKHANDI-587301,
DIST. BAGALKOTE.

...RESPONDENTS

(BY SRI RAMACHANDRA A. MALI, ADVOCATE)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 24.06.2008 PASSED BY THE LEARNED ADDITIONAL CIVIL JUDGE (SR.DN.) GOKAK, SITTING AT RAIBAG, IN R.A.NO.66/1999 AND FURTHER THE JUDGMENT AND DECREE DATED 15-06-1999 PASSED BY THE LEARNED ADDITIONAL CIVIL JUDGE (JR.DN.) RAIBAG, IN O.S.NO.197/1990 MAY KINDLY BE CONFIRMED, BY ALLOWING THIS RSA WITH COSTS IN THE INTEREST OF JUSTICE AND EQUITY.

THESE APPEALS COMING ON FOR FURTHER ARGUMENTS, THIS DAY JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL JUDGMENT

Case is called. The appellants and respondent No.1(d) Pareesh Subbarao Vantagude GPA holder for respondent No.1(b) and 1(c) and respondent No.2(b) and 2(c) and their respective counsels were present on 24.03.2026.

2. The counsels for both parties have filed duly signed compromise petition filed under Order XXIII Rule 3 of Code of Civil Procedure, 1908.

3. Under the compromise, it is stated that the suit is filed by the plaintiff for the relief of specific performance, on the advice made by the elders and well wishers both appellant and respondents compromised the cases and filed this petition.

4. Both appellant and respondents have compromised amicably settled the matters and accordingly compromised the case. According to the compromise



petition both parties prayed to draw decree as per compromise petition.

5. The contents of the compromise petition explained to the parties to the suit in the language known to them. They admit its contents and they have stated that, they have affixed their signatures on the compromise petition after understanding its contents.

6. In terms of the above compromise the Appellant has paid a sum of Rs.15,00,000/- to the respondents vide DD No.964373 dated 23.03.2026 drawn on Union Bank of India Kudachi Branch and the respondents herein acknowledge the receipt of the sale consideration of Rs.15,00,000/- towards payment of consideration in respect of northern side 01-00 Acre of land.

7. The compromise entered into by the parties is legal and appears to be voluntary. Hence, it is accepted. Thus, the suit is decreed in terms of compromise petition.



8. As per the terms of the compromise petition, the judgment and decree passed by both the Trial Court and the First Appellate Court are hereby modified. The office is directed to draw up the decree in terms of the compromise petition. The compromise petition shall be treated as part and parcel of the compromise decree.

9. In view of the settlement, the parties are at liberty to approach the competent authority for execution of the registered sale deed and for carrying out all other consequential acts in accordance with law.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

ASN /CT-AN
List No.: 3 Sl No.: 1