



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE R.NATARAJ

AND

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

REGULAR FIRST APPEAL NO.200069 OF 2014 (PAR/POS)

C/W

REGULAR FIRST APPEAL NO. 200061 OF 2019

REGULAR FIRST APPEAL NO. 200062 OF 2019

IN RFA No. 200069/2014

BETWEEN:

1. JAYANAND S/O SIDRAMAPPA KORI,
DEAD BY LRS
APPELLANT NOS.2 TO 5
ARE LRS OF A1.
2. SMT. NIRMALA
W/O JAYANAND KORI,
AGE: 46 YEARS,
OCC: HOUSEHOLD WORK,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
3. BASAVARAJ
S/O JAYANAND KORI,
AGE: 19 YEARS,
OCC: STUDENT,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.





4. SMT. LAXMI
W/O SHANMUKHAPPA JELAJI,
AGE: 22 YEARS,
OCC: HOUSEHOLD WORK,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
5. SARASWATI
D/O JAYANAND KORI,
AGE: 21 YEARS,
OCC: STUDENT,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.

...APPELLANTS

(BY SRI SHIVAKUMAR KALLOOR, ADVOCATE FOR A-1 TO 4;
SRI AJAYAKUMAR A.K., ADVOCATE FOR A-5)

AND:

1. SMT.KAMALABAI
W/O SIDRAMAPPA KORI,
AGE: 54 YEARS,
OCC: HOUSEHOLD & KIRANA MERCHANT,
R/O: KORI CHAWL, SHAPET GALLI,
STATION BACK ROAD, BIJAPUR – 586 101.
2. GOVIND
S/O SITARAM LAMANI,
AGE: 44 YEARS,
OCC: AGRICULTURE,
R/O: BHUTANAL L.T.,
BIJAPUR – 586 101.
TQ & DIST: BIJAPUR – 586 101.
3. SHEVU
S/O SITARAM LAMANI,
AGE: 40 YEARS,
OCC: AGRICULTURE,
R/O: BHUTANAL L.T.,
BIJAPUR – 586 101.



TQ & DIST: BIJAPUR – 586 101.

4. TEJU S/O SITARAM LAMANI,
AGE: 38 YEARS,
OCC: AGRICULTURE,
R/O: BHUTANAL L.T.,
BIJAPUR – 586 101.
TQ & DIST: BIJAPUR – 586 101.

...RESPONDENTS

(BY SMT. SUSHEELA S., SENIOR ADVOCATE (VC) A/W
SRI BAPUGOUDA SIDDAPPA, ADVOCATE C/R-1;
NOTICE TO R2 TO R4 ARE SERVED;
(SRI GANESH S.KALBURGI, SRI DESHPANDE G.V., AND
SRI ANANTH S.JAHAGIRDHAR, ADVS. FOR PROPOSED R5)

THIS REGULAR FIRST APPEAL IS FILED UNDER
SECTION 96 OF THE CPC, PRAYING TO ALLOW THE APPEAL BY
SETTING ASIDE THE JUDGMENT AND DECREE DATED
11.09.2014 PASSED IN O.S.NO.108/2002 BY THE LEARNED II
ADDITIONAL SENIOR CIVIL JUDGE, BIJAPUR AND
CONSEQUENTLY DISMISS THE SUIT OF THE PLAINTIFF WITH
COST THROUGHOUT, IN THE INTEREST OF JUSTICE AND
EQUITY.

IN RFA NO. 200061/2019

BETWEEN:

JAYANAND
S/O SIDRAMAPPA KORI,
AGE: 67 YEARS,
OCC: BUSINESS
R/O: KORI CHAWL,
SHAHPETH GALLI,
VIJAYAPURA SINCE DECEASED BY LRS

- 1a) SMT. NIRMALA
W/O LATE JAYANAND KORI,
AGE: 56 YEARS,
OCC: HOUSEHOLD,



NC: 2026:KHC-K:1952-DB
RFA No. 200069 of 2014
C/W RFA No. 200061 of 2019
RFA No. 200062 of 2019

R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.

- 1b) BASAVARAJ
S/O LATE JAYANAND KORI,
AGE: 29 YEARS,
OCC: PRIVATE WORK,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
- 1c) SMT. LAXMI
W/O SHANMUKHAPPA JELAJI,
AGE: 32 YEARS,
OCC: HOUSEHOLD,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
- 1d). SARASWATI
D/O LATE JAYANAND KORI ,
AGE: 31 YEARS,
OCC: HOUSEHOLD,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.

...APPELLANTS

(BY SRI SHIVAKUMAR KALLOOR, ADVOCATE;
(SRI S.V.JAHAGIRDHAR, ADVOCATE FOR APPELLANT IN
R.A.NO.117/2015)

AND:

SMT.KAMALABAI, CALLING HERSELF AS
W/O SIDRAMAPPA KORI,
AGE: 62 YEARS,
OCC: HOUSEHOLD & KIRANA MERCHANT,
R/O: KORI CHAWL, SHAHPETH GALLI,
STATION BACK ROAD, VIJAYAPURA.

...RESPONDENT

(BY SMT SUSHEELA S., SENIOR ADVOCATE A/W
SRI BAPUGOUDA SIDDAPPA, ADVOCATE)



THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE JUDGMENT AND DECREE DATE 11.09.2014 PASSED IN O.S.NO.59/2012 BY THE LEARNED II ADDITIONAL SENIOR CIVIL JUDGE, BIJAPUR AND CONSEQUENTLY DECREE THE SUIT OF THE PLAINTIFF WITH COST THROUGHOUT, IN THE INTEREST OF JUSTICE AND EQUITY.

IN RFA NO. 200062/2019

BETWEEN:

1. JAYANAND
S/O SIDRAMAPPA KORI,
AGE: 67 YEARS,
OCC: AGRICULTURE,
R/O: KORI CHAWL,
SHAH PETH GALLI,
VIJAYAPURA SINCE DECEASED BY LRS
- 1a) SMT. NIRMALA
W/O LATE JAYANAND KORI,
AGE: 56 YEARS,
OCC: HOUSEHOLD,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
- 1b) BASAVARAJ
S/O JAYANAND KORI,
AGE: 29 YEARS,
OCC: PRIVATE WORK,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.
- 1c) SMT. LAXMI
W/O SHANMUKHAPPA JELAJI,
AGE: 32 YEARS,
OCC: HOUSEHOLD,
R/O: KORI CHAWL, SHAPETI GALLI,



STATION BACK ROAD, BIJAPUR.

1d) SARASWATI
D/O LATE JAYANAND KORI ,
AGE: 31 YEARS,
OCC: HOUSEHOLD,
R/O: KORI CHAWL, SHAPETI GALLI,
STATION BACK ROAD, BIJAPUR.

...APPELLANTS

(BY SRI SHIVAKUMAR KALLOOR, ADVOCATE)

AND:

SMT.KAMALABAI, CALLING HERSELF AS
W/O SIDRAMAPPA KORI, AGE: 62 YEARS,
OCC: HOUSEHOLD & KIRANA MERCHANT,
R/O: KORI CHAWL, SHAHPETH GALLI,
STATION BACK ROAD, VIJAYAPURA.

...RESPONDENT

(BY SMT SUSHEELA S., SENIOR ADVOCATE A/W.
SRI BAPUGOUDA SIDDAPPA, ADVOCATE)

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE JUDGMENT AND DECREE DATE 11.09.2014 PASSED IN O.S.NO.58/2012 BY THE LEARNED II ADDITIONAL SENIOR CIVIL JUDGE, VIJAYAPURA AND CONSEQUENTLY DECREE THE SUIT OF THE PLAINTIFF WITH COST THROUGHOUT, IN THE INTEREST OF JUSTICE AND EQUITY.

THESE REGULAR FIRST APPEALS, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R.NATARAJ
and
HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE R.NATARAJ)

RFA No.200069/2014 is filed challenging the judgment and decree dated 11.09.2014 in O.S.No.108/2022 passed by the court of the II Additional Senior Civil Judge, Vijayapur.

RFA No.200061/2019 is filed challenging the judgment and decree dated 11.09.2014 in O.S.No.59/2012 passed by the court of the II Additional Senior Civil Judge, Vijayapur.

RFA No.200062/2019 is filed challenging the judgment and decree dated 11.09.2014 in O.S.No.58/2012 passed by the court of the II Additional Senior Civil Judge, Vijayapur.

2. When these appeals are listed for final hearing, a compromise petition is filed, the terms of which reads as follows :

"The appellant and the respondent respectfully submits as follows :



NC: 2026:KHC-K:1952-DB
RFA No. 200069 of 2014
C/W RFA No. 200061 of 2019
RFA No. 200062 of 2019

- 1) Appellant in the above case is ready to pay Rs.40,00,000/-(fourty Lakhs Rupees) to Respondent in respect of item No. 1 is concerned i.e House Property bearing CTS No.1163/1A of Ward NoIII of Bijapur city and he shall become absolute owner and possession of item No.1 of suit property CTS No.1163/1A.
- 2) It is further submitted, respondent is permitted to stay in two rooms of above said premises till her lifetime and she shall not claim any rights, interest, mortgage, sale, charge or create any encumbrance or loan or sublet whatsoever in the said property.
- 3) Appellant is ready to pay the above said amount to respondent within 6 months or an amount of Rs.40,00,000/- will be paid by way of 6 installments i.e Rs.6,50,000/- will be paid in first five installments and remaining amount i.e Rs.7,50,000/- will be paid in the sixth installment and the amount will be paid on or before 10th of each month, thereafter appellant shall be absolute owner of the said property.
- 4) Respondent has right over two rooms in the said premises till her life time and all the expenses shall be borne by her, thereafter appellant shall take over the said property as an absolute owner.
- 5) Respondent shall not object for any construction or development in the above said premises.
- 6) Respondent/plaintiff shall not claim any right or interest in item No.1 i.e CTS No.1163/1A of Ward No.III of Bijapur city.
- 7) It is further submitted that, regarding landed property is concerned respondent has already received the amount and she can proceed with final decree proceedings for those remaining agriculture land is concerned, if she intends.

Hence both the parties are agreed for the above terms and conditions."

3. The appellant and the respondent are present and they agree that they have settled the dispute



amicably as per the terms mentioned in the compromise petition. They also agree that the settlement is entered into without any fear, undue influence, threat or coercion and that the same is voluntary. The terms of the compromise were explained to the respondent in RFA No.200069/2014 and she admitted the terms of the compromise. In view of the above, these appeals are ***disposed off*** in terms of the compromise.

4. Consequently, the suit filed by the respondent in O.S.No.108/2002 as the appeal filed in RFA No.200069/2014 stands *disposed off* in terms of this compromise.

5. Office is directed to draw a decree in terms of the compromise.

6. Since the respondent in RFA No.200069/2014 is now aged about 78 years, we direct the appellant to pay the sum of Rs.40,00,000/- within a period of six months.



7. This Court had suggested to the appellant to pay a sum of Rs.40,00,000/- towards full and final settlement of the claim of the respondent. The respondent accepted the same but the appellant insisted the Court to hear and dispose of the appeals on merits. The appeals were heard on two dates for nearly four hours and when the judgment was being dictated, the appellant agreed to accept the settlement. Since, valuable of time of the Court is lost; the appellant is bound to make amends for unnecessarily wasting the time of the Court. Hence, he shall pay cost of Rs.1,00,000/- to the Karnataka State Legal Services Authority within four weeks.

8. List for compliance of this order on 03.09.2026.

Sd/-
(R.NATARAJ)
JUDGE

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE



IN THE HIGH COURT OF KARNATAKA AT KALABURAGI

[JAYANAND S/O SIDRAMAPPA KORI AND ORS AND OTHERS VS.
SMT.KAMALABAI W/O SIDRAMAPPA KORI AND ORS AND
OTHERS]

09.04.2026
(VIDEO CONFERENCING)

CORAM: HON'BLE MR. JUSTICE R.NATARAJ
and
HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL ORDER

(PER: HON'BLE MR. JUSTICE R.NATARAJ)

This Court in terms of the judgment dated 26.02.2026, had imposed cost of Rs.1,00,000/- payable by the appellant to the Karnataka State Legal Services Authority. However, the appellant has deposited the cost of Rs.1,00,000/- before the High Court Legal Services Committee, Kalaburagi Bench.

In view of the fact that the appellants have deposited the cost, as ordered before a different authority, the same is condoned and is treated as sufficient discharge of the order passed by this Court imposing cost of Rs.1,00,000/- payable to the Karnataka State Legal Services Authority.



NC: 2026:KHC-K:1952-DB
RFA No. 200069 of 2014
C/W RFA No. 200061 of 2019
RFA No. 200062 of 2019

This order shall be read in conjunction with the order
dated 26.02.2026.

Sd/-
(R.NATARAJ)
JUDGE

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE

HJ
List No.: 19 Sl No.: 1