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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 20TH DAY OF MARCH 2007

BEFORE

THE HON'BLE MR. JUSTICE H.G.RAMESH

REGULAR FIRST APPEAL NO.268/2005. (DEC).

BETWEEN:

SHRI.R.SRINIVASAIAH,
AGED ABOUT 41 YEARS,
S/O.G.RAMAIAH,
RESIDING AT NO.51,
III MAIN, MATHIKERE,
BANGALORE - 560 054.

... APPELLANT

(BY SRI.B.S.GURUDATH, ADV.)

AND :

1. SHRI.KRISHNAPPA
SINCE DEAD BY LRS.

A. PREMA KRISHNAPPA,
AGED 50 YEARS,
W/O.LATE. KRISHNAPPA.

B. HEMAVATHI,
AGED 28 YEARS,
D/O.LATE.KRISHNAPPA.

C. MOHAN,
AGED 26 YEARS,
S/O.LATE.KRISHNAPPA.

D. MARUTHI,
AGED 24 YEARS,
S/O.LATE.KRISHNAPPA.

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ALL ARE RESIDING AT
CHENNAPPA GARDEN,
PARAMPARA,
GOKUL,
BANGALORE - 54.
(RESPONDENTS 1 (A) TO (D)
IMPLEADED VIDE COURT
ORDER DATED 18.9.2006)

..... RESPONDENTS

(BY SRI.B.V.GANGI REDDY, ADV. FOR R-1 (A - D))

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION
96 OF C P C AGAINST THE JUDGMENT AND DECREE DATED
17.11.2004 PASSED IN O.S.NO1742/1991 ON THE FILE OF THE
XIV ADDL. CITY CIVIL JUDGE, BANGALORE (CCH-28),
DISMISSING THE SUIT FOR DECLARATION AND POSSESSION.

THIS REGULAR FIRST APPEAL COMING ON FOR ORDERS,
THIS DAY, THE COURT, DELIVERED THE FOLLOWING:

JUDGMENT

Learned counsel for the parties have filed a
compromise petition dated 15.2.2007 signed by them
and the ✓ parties and pray that the appeal may be
disposed of in terms of the compromise petition in
modification of the judgment and decree impugned
herein.

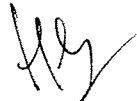
2. The compromise petition reads as follows:



'At the instance of the well wishers of the appellant (Plaintiff) and legal representatives of the original respondent (defendant) herein have settled the matter under the terms of the compromise are as follows:

- 1. The legal representatives of the original Respondent concede that the appellant is the owner of the suit schedule property.*
- 2. The legal representatives of the original respondent have agreed to vacate the suit schedule property and hand over the vacant possession of the suit schedule property to the appellant on 18.02.2007 and the appellant will give an acknowledgement to the legal representatives of the respondent for having accepted the possession.*

Having regard to the aforesaid terms, this Hon'ble Court may be pleased to allow the above appeal and set aside the judgment and decree dated 17.11.2004 passed in O.S.No.1742/1991 on the file of the XIV



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*Additional City Civil Judge at Bangalore (CCH
28) and decreed the suit.*

Each party is to bear his or her own costs."

The above compromise petition is placed on
record.

3. The appeal stands disposed of in terms of the
above compromise petition in modification of the
judgment and decree impugned herein.

Appeal disposed of.

Sd/-
JUDGE

JL