



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF NOVEMBER, 2023

BEFORE

THE HON'BLE MR JUSTICE S.R.KRISHNA KUMAR

REGULAR FIRST APPEAL NO. 138 OF 2020 (RES)

BETWEEN:

1. SMT JAYMALA
D/O SMT. SUSHILAMMA
W/O LATE ANIL KUMAR.
2. SMT. G.R. SUSHILAMMA
W/O LATE M.B. GANGANNA
AGED ABOUT 58 YEARS

BOTH ARE R/AT NO.766,
5TH MAIN, 8TH CROSS,
M.C LAYOUT, VIJAYANAGAR,
BENGALURU 560 040.

...APPELLANTS

(BY SRI. RAJA L.,ADVOCATE)

AND:

SMT SHARADAMMA T L
W/O LATE KRISHNAPPA
AGED ABOUT 50 YEARS
R/AT NO.774, 5TH MAIN,
8TH CROSS, M.C. LAYOUT,
VIJAYANAGAR,
BENGALURU 560 040.

...RESPONDENT

(BY SRI. H G SWAMY.,ADVOCATE)

THIS RFA IS FILED UNDER ORDER XLI RULE 1 R/W SEC.96 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED: 02.08.2019 PASSED IN OS.NO.1053/2011 ON THE FILE OF THE XXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU PARTLY DECREETING THE SUIT FOR EJECTMENT AND DAMAGES.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, THE COURT DELIVERED THE FOLLOWING:



JUDGMENT

This appeal is directed against the impugned judgment and decree dated 02.08.2019 passed in O.S.No.1053/2011 by the XXX Addl. City Civil and Sessions Judge, Bengaluru whereby the said suit for ejectment and other reliefs filed by the respondent – plaintiff against the appellant – defendant, was decreed by the Trial Court.

2. Learned counsel for the appellant and respondent submits that the dispute between the parties in the present appeal was amicably settled in O.S.6427/2011 which was referred to the Lok Adalath.

3. Accordingly a memo enclosing a joint memo filed in O.S.6427/2011 is filed by the learned counsel for respondent and the same is placed on record.

4. In view of the settlement between the parties, appeal stands disposed of in terms of the joint memo filed in O.S.6427/2011.

5. Registry is directed to refund the entire (100%) of the Court Fee paid on the memorandum of appeal back to the appellants forthwith without any delay.

**Sd/-
JUDGE**