

KABG500007122022



**IN THE COURT OF THE PRL. SENIOR CIVIL
JUDGE, GOKAK.**

O.S.No.394/2022

1. Smt. Rajashree W/o. Ningappa Kuri.

...Plaintiff.

V/s.

1. Sri. Mahadev S/o. Bhimnaik @ Bhimappa
Naik @ Nayik and another.

...Defendants.

ISSUES

1. Whether the plaintiff proves that the deceased Bhimanaik Huchappa Naik had agreed to sell the suit schedule property in her favour for valuable consideration of Rs.6,00,000/- by receiving an amount of Rs.5,16,000/- towards the advance sale consideration amount and agreed to execute the registered sale deed within 3 years by receiving the balance sale consideration amount and executed a registered agreement of sale on 26/07/2017?
2. Whether the plaintiff proves that she is ever ready and willing to perform her part of the contract?

3. Whether the defendants prove that the suit of the plaintiff is barred by law of limitation?
4. Whether the plaintiff is entitled for the relief of specific performance of the contract?
5. Whether the plaintiff is entitled for the alternative relief of refund of earnest money?
6. Whether the plaintiff is entitled for the reliefs claimed?
7. What order or decree?

sd/-

Place: Gokak
Date : 07/09/2023

(G.Deepa)
Prl. Senior Civil Judge, Gokak.