

**IN THE COURT OF SENIOR CIVIL JUDGE & JMFC,
BANAhatti.**

Original Suit No.79/2022

Mahalingappa S/o: Basappa Mali.

.... Plaintiff.

V/s

Santosh S/o: Mahadevappa Badanavar
and Another.

.... Defendants.

ISSUES

- 1 Whether the plaintiff proves that, the defendants have executed the registered sale agreement on 18.05.2018 in respect of the suit schedule property by receiving earnest consideration amount of Rs.5,00,000/- out of total consideration amount of Rs.6,00,000/- and agreed to execute the registered sale deed within 2 years from the date of the agreement?
- 2 Whether the plaintiff further proves that, he is/was always ready and willing to perform his part of contract?
- 3 Whether the defendants prove that, the said sale agreement has been executed by them for the security of the hand loan of Rs.1,00,000/- obtained by them from the plaintiff?

- 4 Whether the plaintiff is entitled for relief of specific performance of contract?
- 5 Whether the plaintiff is entitled for the refund of earnest consideration amount of Rs.5,00,000/- along with interest @ 18% per annum from the date of the agreement till its realization?
- 6 What order or decree?

Sd/-

Date : 27.03.2023
Place : Banahatti

(Kirankumar D. Wadigeri)
Sr. Civil Judge, Banahatti.