

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE & CJM  
DHARWAD**

**Original Suit No. 249/2023**

Plaintiffs : Parappa S/o Channappa Gamannavar

- Vs -

Defendants : Mallappa S/o Rajappa Devappanavar  
and others.

**I S S U E S**

1. Whether the plaintiff proves that the defendant No.1 entered into contract and agreed to sell suit schedule property to him for valuable sale consideration amount of Rs. 80,00,000/- and thereby received Rs.18,00,000/- as earnest money and executed agreement of sale on 05-07-2021?
2. Whether the plaintiff further proves that the defendant No.1 further agreed to execute sale-deed in terms of agreement of sale deed dated 05-07-2021?
3. Whether the plaintiff further proves that he is ever ready and willing to perform his part of contract?
4. Whether the defendant No.2 proves that he has entered into contract with plaintiff to purchase land an extent of 02 acres out of the property bearing block No. 573/1 for valuable sale consideration amount of Rs.26,00,000/- and thereby paid Rs.16,00,000/- as earnest money, hence he become bonafide purchaser without notice?
5. Whether the defendant No.3 proves that he has purchased land from the defendant No.1 measuring 04 acres 02 guntas out of the land bearing block No. 573/1 for valuable sale consideration amount of Rs. 58,00,000/- and thereby become absolute owner as bonafide purchaser thus the suit against him is not maintainable?

6. Whether the plaintiff entitled for the relief of specific performance of contract?
7. What order or decree?

Dt: 19/06/2024

Prl. Senior Civil Judge & CJM.,  
Dharwad