

IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE, HUBBALLI

O.S. No.440/2025

Plaintiff : Siddappa Basappa Harakuni.

Versus

Defendants : Mallappa Gadigeppa Malawad and another.

ISSUES

1. Whether the plaintiff proves that defendant No.1 has executed agreement of sale in his favour on 16.01.2022 by agreeing to sell the suit property for ₹20,00,000/- and by receiving ₹10,00,000/- as advance consideration amount?
2. Whether the plaintiff proves that he is ever ready and willing to perform his part of contract?
3. Whether the plaintiff proves that he is entitle for the discretionary relief of specific performance of the contract?
4. Whether the plaintiff is entitle for the alternative relief of refund of earnest money of ₹10,00,000/- along with interest at the rate of 18% p.a.?
5. Whether the plaintiff proves that the sale deed dated 03.05.2025 executed by defendant No.1 in favour of defendant No.2 is illegal, null and void and not binding on the plaintiff?
5. Whether the defendant No.2 proves that the suit of the plaintiff is barred by law of limitation and liable to be rejected U/o.VII Rule 11(a) and (d) of C.P.C.?
6. Whether the defendant No.1 proves that the said transaction was hand loan transaction and the execution

of the registered agreement of sale in favour of plaintiff is only towards security of the loan and it was not a real agreement of sale?

6. What order or award?

Place: Hubballi
Dt: 27-02-2026

(Yamanappa Karehanumanthappa)
Prl. Senior Civil Judge, Hubballi.