

**BEFORE THE COMMERCIAL COURT & II ADDL. DISTRICT
& SESSIONS JUDGE AT: MYSURU.**

Com.OS No.23/2024

Plaintiffs : Sri.Jithesh.B.P and others

-Vs-

Defendants: Sri.M.S.Nanjegowda and another

ISSUES

1. Whether the Plaintiffs prove that in order to deprive the suit schedule properties of Sri.B.Puttappa, the defendant No.1 fraudulently created fake third party irrecoverable General Power of Attorney and Agreement of Sale dated 17.10.2017 in favour of the 2nd defendant in violation of terms and conditions of development agreement ?
2. Whether the Plaintiffs prove that their father Sri.B.Puttappa had no intention or legal necessity to enter into 3rd party sale agreement with the 2nd defendant with respect to his undivided shares of sites in the suit schedule properties?
3. Whether the plaintiffs prove that they are ready and willing to perform their part of contract?
4. Whether the defendants prove that the father of the plaintiffs Sri.B.Puttappa has voluntarily executed Registered Agreement of Sale dated 17.10.2017 in favour of the 2nd defendant and received a total amount of Rs.2,60,00,000/- from the 2nd defendant through cheques and RTGs?
5. Whether the Plaintiffs are entitled to relief of Specific performance of contract

and for delivery of physical possession of 50% of agreed shares of sites and cancellation of Registered Power of Attorney dated 9.2.2015 and Registered Agreement of sale dated 17.10.2017 and such other reliefs as sought for ?

6. What order or decree ?

Dated 12th day of February 2025.

(B.K.Ravikantha)
Presiding Officer, Labour Court, Mysuru
C/c II Addl. District & Sessions Judge, Mysuru.