

**IN THE COURT OF THE SENIOR CIVIL JUDGE AND JMFC,
H.D.KOTE**

O.S 59/2023

Plaintiff/s : Geetha.K

V/s

Defendant/s: Mahesha & another

ISSUES

1. Whether the plaintiff proves that the defendants had agreed to sell the suit schedule properties in her favour for a total consideration of Rs. 7,00,000/- and after receiving the advance consideration amount of Rs. 5,00,000/- had executed registered agreement of sale dated 16.11.2019 ?
2. Whether the plaintiff further proves that she has always been ready and willing to perform her part of contract?
3. Whether the defendants prove that they have borrowed a loan of Rs. 5,00,000/- with the interest at the rate of 1.50 % per month from the plaintiff and the plaintiff by misrepresenting the defendants got created an Agreement of sale instead of mortgage deed as contended in their written statement?
4. Whether plaintiff is entitled for the relief of specific performance of contract or the alternative relief of return of an amount of Rs. 5,00,000/- along with interest as claimed in the plaint?
5. What order or decree?

Dated this the 26th day of August, 2023.

Senior Civil Judge and J.M.F.C
H.D.Kote