

**IN THE COURT OF THE PRL. SENIOR CIVIL
JUDGE AND JMFC, HUNSUR**

O.S. No. 224/2022

Plaintiff : Smt. Pushipindar Kour Shobha
V/s
Defendant : Sri. Sannegowda & others

ISSUES

1. Whether the plaintiff proves that the defendants No. 1 to 7 executed an agreement of sale dated 25.11.2015 agreeing to sell the suit schedule property for valuable consideration of Rs. 16,41,250/- and received advance consideration amount of Rs. 2,00,000/- by way of cheque bearing No. 014670 of IDBI Bank drawn on IDBI Bank, Jalaksmipuram Branch, Mysore, and agreed to received the balance sale consideration amount of Rs. 14,41,250/- at the time of execution of the registered sale deed?
2. Whether the plaintiff further proves that she is ever ready and willing to perform her part of the contract?
3. Whether the plaintiff further proves that the defendants have executed another unregistered document dated 05.04.2021 agreeing to sell the suit schedule property for valuable consideration of Rs. 16,41,250/- out of which the defendants received advance sale consideration of Rs. 6,00,000 by way of cheque bearing No. 014670 drawn on IDBI Bank, Jayalakshmipuram Branch, Mysore an amount of Rs. 2,00,000/- and by way of cash of Rs. 4,00,000/- on 05.04.2021 and agreed to receive the balance sale consideration amount of Rs. 10,41,250/- at the time of execution of the sale deed within 3 months from 25.11.2015?

4. Whether the plaintiff proves that she has obtained the possession of the suit schedule properties as stated in para No. 6 of the plain?
5. Whether the plaintiff further proves that she is ever ready and willing to perform her part of the contract?
6. Whether the plaintiff is entitled for the relief of specific performance of the contract?
7. Whether the defendants No. 1 to 4, 6 and 7 prove that they have executed the registered agreement of sale only for the purpose of security of the hand loan to the extent of Rs. 2,00,000/- obtained by them from the plaintiff?
8. What order or decree?

Dated 30th day of March, 2023.

(Shirin Javeed Ansari)
Prl. Senior Civil Judge & JMFC
Hunsur