

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE  
AND C.J.M., UDUPI**

**O.S.No.70/2025**

T. Ganapathi Hegde : **Plaintiff**

*-Versus-*

Sri. Praveen Kumar Shetty : **Defendant**

**ISSUES**

1. Whether the plaintiff proves that the defendant agreed to sell the suit schedule property for Rs.15 Lakhs and received an amount of Rs.2 lakhs in advance and executed sale agreement on 02.05.2022?
2. Whether the plaintiff further proves that defendant received Rs.2 lakhs on 03.04.2023 towards balance sale consideration amount?
3. Whether the plaintiff further proves that he was and is always has been willing to perform his part of contract?
4. Whether the suit is barred by limitation?
5. Whether the plaintiff is entitled for specific performance of contract?
6. Whether the plaintiff is entitled for refund of earnest money of Rs.4 lakhs with interest at the rate of 15% per annum?

7. What order or decree?

**Dated, this the 23<sup>rd</sup> day of January, 2026.**

**(M.Purushothama)**  
Prl. Sr. Civil Judge & C.J.M.  
Udupi.