IN THE COURT OF SENIOR CIVIL JUDGE, KUNDAPURA.

PRESENT : Sri RAJU N. B.A., LL.B.
Senior Civil Judge
Kundapura.

Dated :- This the 2nd day of September, 2023.

O.S.No.16/2023

Ghulam Hussain Khan .... Plaintiffs

/ Vs /

Mohammed Abdul Razak Attar .... Defendant

ISSUES

1. Whether the plaintiff proves that, defendant has agreed to sell the suit lands for a sum of Rs.50,00,000/- and received total part sale consideration amount of Rs.48,27,305/- and executed agreement of sale vide dated 18-03-2022 in his favour and agreed to execute the sale deed ?

2. Whether the plaintiff proves that he is then and now ready and willing to perform his part of contract ?

3. Whether the plaintiff proves that, the defendant has failed to perform his part of contract under the agreement of sale dated 18-03-2022 ?

4. Whether the defendant proves that part sale consideration amount was paid to various persons and hence he did not receipt the entire part sale consideration amount of Rs.48,27,305/-

5. Whether the plaintiffs is entitle for relief of specific performance of contract or alternative relief of refund of money of Rs.48,27,305/- with interest at rat of 24% p.a. ?

6. What decree or order?

Senior Civil Judge,
Kundapura.