

1 Regular Civil Suit Number **40/2015**  
Ahmadi Mulla Vs. Bali Chavan+ 17

Exh. No.56/B

Long Cause “L”  
(Civil Manual Chapter 9 para 223)

**I S S U E S**

(Civil Procedure Code, 1908 Order XIV Rule 2 & 3)

**01]** Does the plaintiff prove that, defendant No.08 for himself and on behalf of defendant No.01 to 07 and 09 to 11, in the month of January, 2012, entered into oral agreement to sale her “**Suit property**” for consideration of Rs.2,00,000/- (Two Lakh Only)?

**02]** Does the plaintiff prove that, defendant No.08 for himself and on behalf of defendant No.01 to 07 and 09 to 11 executed in her favour written Agreement to sale “**Suit property**” on .04.06.2013?

**03]** Does the plaintiff prove that, she paid entire consideration amount of Rs.2,00,000/ (Two Lakh Only) to the defendants No. 01 to 11?

**04]** Does the plaintiff prove that, she was and is ready and willing to perform her part of contract?

**05]** Is the plaintiff entitled for the relief of specific performance of contract of **suit property** with delivery of possession against the defendant No. 01 to 11?

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**06]** Is the plaintiff alternatively entitled for refund of consideration of Rs.2,00,000/- (Two Lakh Only) and for breach of contract, compensation to the tune of Rs.2,00,000/- (Two Lakh Only) and its charge over property till realization of amount?

**07]** Is the plaintiff entitled for the declaration that, Sale Deed of suit property dated **07-05-2015** executed by defendant No.01 to 11 in favour of defendant No.12 is not binding on her?

**08]** Is the plaintiff entitled for the declaration that, Sale Deed of suit property dated **19-06-2015** executed by defendant No.12 in favour of defendant No.13 to 18 is not binding on her?

**09]** Is the plaintiff entitled for relief of perpetual injunction against defendants for restraining them from alienating suit property?

**10]** Does the defendant No.12 proves that, he is bonafide purchaser for value paid without notice?

**11]** Do the defendant No.13 to 18 prove that, they are bonafide purchasers for value paid without notice?

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12] Is the plaintiff entitled for the reliefs sought?

13] What order, decree and costs?

----Sd/----

(Subhash L. Phule)

(MH RG 0009 - 2125)

Date : 18-07-2017. Civil Judge, Junior Division, Roha.

Place : Roha.

District : Raigad.

**Note** : 01. Bench clerk is directed to take note of the issues with signature and date from the advocates of both sides.

02. Both parties on next date shall file list of witnesses to be examined as per Rule 1 of Order 16 of C. P. C., 1908.

03. If parties fail to file list, then, it will be presumed that, they don't want to examine witnesses and further order will follow.