

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: A.S.No. 197/2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1	21.04.2026	<u>RNT, J&BM, J</u> Sri V.V.L.N.Sarma, learned counsel appears through virtual mode for the appellant. 2. The plaintiff's suit for specific performance of contract of sale based on an oral agreement of sale dated 16.08.2012, and in alternative for refund of the amount has been decreed for the alternative relief. 3. Learned counsel for the appellant(1st defendant) submits that the case of the plaintiff for the oral agreement is not believed by the learned Trial Court. However, still the suit has been decreed for the alternative relief of refund of the amount. He further submits that though from the judgment, the case of the plaintiff was that an amount of Rs.2,57,00,000/- was received by the 1st defendant and the Court has also recorded the said finding, in view of the acceptance of the receipt by the 1st defendant vide paragraph Nos.33 and 34 of the judgment, he submits that still the judgment could not be passed for refund of that amount because that was not under any agreement of sale may be oral but the said amount was towards some other account or head. Contd...	

		4. The decree under challenge, is a money decree. 5. <i>Prima facie</i>, we are of the view that in view of what we have observed (supra) from the judgment of the learned Trial Court, no case for grant of interim order is made out without imposing conditions on the appellant. 6. Learned counsel for the appellant at this stage prays for time to obtain instructions with respect to the deposit of the amount or certain amount under the decree for consideration of the I.A.No.1 of 2026 for stay. 7. As requested, list on 28.04.2026. RNT, J BM, J Pab	
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