

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE: S.A.No.325 of 2026

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
1.	01.05.2026	<u>TRR, J</u> <u>S.A.No.325 of 2026</u> For the following sustainable questions of law, the Second Appeal stands Admitted: (a) Whether the courts below erred in granting a decree for specific performance without strict proof of readiness and willingness under Section 16(c) of the Specific Relief Act? (b) Whether the lower appellate court erred in confirming the decree passed by the trial court contrary to the principle that 'time is essence of the contract'? (c) Whether courts below erred in ignoring Exhibit B1, the certified copy of the Will, despite marking it as evidence and without any recital in the Ex.A1 cancelling it? (d) Whether courts below erred in shifting the burden of proof on the defendant contrary to settled principles under the Evidence Act? (e) Whether the courts below erred in decreeing the suit despite the Respondents/Plaintiff's failure to examine	

		material witnesses having direct knowledge of the transaction, particularly after the death of the original parties to the contract, thereby failing to establish <i>consensus ad idem</i> in accordance with law? <u>I.A.No.1 of 2026</u> Notice. Learned counsel for the appellant is permitted to takeout personal notice to respondents through speed post and file proof of service in the Registry. List after Summer Vacation, 2026. _____ TRR,J KBN	
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