

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: S.A.No.633 of 2012

PROCEEDING SHEET

Sl. No	DATE	ORDER	
20.	03.09.2025	<p><u>VGKR,J</u></p> <p>Heard. Admit.</p> <p>The following substantial questions of law in the present Second Appeal are framed for determination under Section 100 of the Code of Civil Procedure (for short 'the C.P.C.):</p> <ol style="list-style-type: none">1. <i>Whether the lower appellate Court has not committed an error in ordering refund of the sale consideration and interest to the plaintiffs covered by the alleged agreement of sale Ex.A.20, in the absence of any relief, being claimed by the plaintiffs or evidence or issue in relation thereto?</i>2. <i>Whether the lower appellate Court has not erred in ordering the refund of sale consideration and interest without any prayer, without considering the limitation aspect involved to order refund in the absence of any claim?</i>3. <i>Whether the lower appellate Court has not erred in its failure to consider that refund of</i>	

sale consideration and interest cannot be ordered on the basis of Ex.A.20 which is a mortgage by conditional sale and the suit for specific performance of Ex.A.20 is not maintainable and Ex.A.20 itself is not admissible in evidence for want of registration under Section 58 of the Transfer of Property Act, 1882?

4. *Whether the Courts below have not erred in holding that Ex.A.20 is a true and valid document on the basis of the evidence of P.W.1 and Handwriting Expert?*

List the matter on 19.09.2025 along with S.A.Nos.1250 and 1251 of 2011.

VGKR, J

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