



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

SECOND APPEAL NO.150 OF 2023

Rampyaribai S. Daga (dead) thru. LR's Chandrashekhar and ors.

Vs.

Pradeep C. Khatri and anr.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. V. P. Deshpande and Mr. Kushal Jain, Advocates for appellants.
Mr. A. G. Baheti, Advocate h/f. Mr. R. M. Bhangde, Advocate for respondents.

CORAM : ROHIT W. JOSHI, J.

DATE : 30.03.2026.

. Issue notice to the respondents on the following substantial question of law:-

I. Whether the learned Courts have failed to appreciate that the date for payment of balance consideration in the agreement of sale is not linked to the date for execution of sale deed and, consequently whether decree for specific performance of contract could be passed in favour of the plaintiff admittedly when the entire sale consideration is not paid within the period stipulated for the same?

2. Notice is made returnable on **04.05.2026**.

3. The appellants are directed to serve the respondents by speed post, in addition to regular mode of service and file affidavit of service before the returnable date.

4. Call for recording and proceedings.
5. Parties are put to notice that the appeal may be heard finally at the stage of admission.

(ROHIT W. JOSHI, J.)

Ταπηγά...