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A.No.539 of 2022
in C.S.No.909 of 2002

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N.SESHASAYEE, J.

In a suit for redemption, the plaintiff was successful. Challenging the said decree, the defendant preferred an appeal in O.S.A.232 of 2013 and he lost it again before the Division Bench. Challenging the same, the defendant preferred S.L.P. (Civil) No.10511 of 2022 but has withdrawn it later after obtaining liberty to move the division bench for reviewing its decree.

2.The point for consideration is whether the amount required to be paid by the plaintiff to the defendant. According to the plaintiff, the debt was discharged. According to the defendant, some more amounts are due. If that is so, then the burden is on the defendant to establish what amount is so due from the plaintiff. The counsel for the plaintiff submits that the defendant has not produced a shred of evidence to indicate the amount due from the plaintiff.

3.The counsel for the defendant submits that he has already moved concerned bench for reviewing its decree and the matter is pending before the Bench.



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4.In the meantime, the plaintiff has taken out this application for forensic audit of the amount due.

5.Post the matter on 30.01.2023.

02.01.2023

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