



**C.S.No.104 of 2022 and**  
**O.A.Nos.322 & 323 of 2022**

**R.N.MANJULA,J.**

On perusal of the records and on hearing the respective counsels for both sides, the following issues have been framed:

*“(i) Whether the plaintiff has the locus standi to file a suit on behalf of the Trust?*

*(ii) Whether the sale agreement dated 07.05.2018 is true, valid and binding the defendants?*

*(iii) Whether the sale agreement dated 07.05.2018 is unenforceable due to the earlier agreement dated 11.03.2010 and memo of understanding dated 26.02.2018?*

*(iv) Whether the plaintiff was ready and willing to perform his part of contract?*

*(v) Whether the plaintiff has been given with possession pursuant to the sale agreement dated 07.05.2018?*

*(vi) Whether the plaintiff is in lawful possession of the suit property?*

*(vii) Whether the plaintiff is entitled to the decree for specific performance?*

*(viii) Whether the plaintiff is entitled to the relief of two permanent injunctions as prayed?*

*(ix) Whether the time is the essence of contract?*



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(x) *Whether the suit is barred by limitation and to what other relief? if any."*

2. Affidavit, documents, Typed set and inspection in two weeks.

Post the matter before the learned Additional Master-II for recording evidence. The parties are directed to appear before the Additional Master - II on 04.10.2023.

19.09.2023

gsk

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