

ITEM NO.1001

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

R.P. (C) No. 9467/2026 in SLP(C) No. 21876/2022

[Arising out of impugned final judgment and order dated 20-01-2026
in SLP(C) No.21876/2022 passed by the Supreme Court of India]

M/S. RAASHI FARMS

Petitioner(s)

VERSUS

SUDHA & ORS.

Respondent(s)

FOR ADMISSION

IA No. 110650/2026 - APPLICATION FOR LISTING REVIEW PETITION IN
OPEN COURT

Date : 29-04-2026 This matter was circulated today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

By Circulation

UPON perusing papers the Court made the following
O R D E R

At page "00" of the Review Petition, it is stated as
under:

"When the matter came up for final hearing, after the court was not inclined to interfere to grant the relief of specific performance in favour of the petitioner, the petitioner made a request for refund of earnest money paid by the petitioner. This Hon'ble court rejected the said prayer holding that when the main suit is barred by delay, the prayer of refund is also barred by delay, hence, the same cannot be considered without appreciating the fact that limitation period for both the reliefs cannot always be the same."

contd..

This is an incorrect pleading as on three occasions, this Court made it clear to the petitioner to seek refund of earnest money as the prayer for specific performance of the agreement to sell could not be granted and the matter was also adjourned for the said purpose. However, the petitioner was disinclined to receive the earnest money and instead was bent upon arguing for the relief of specific performance. Thus, no request for refund of earnest money was made by the petitioner before this Court.

We do not find any reason to interfere.

However, in order to ascertain whether there could be a negotiation/mediation between the parties regarding the advance consideration paid by petitioner, issue notice to the respondents.

(NEETU SACHDEVA)
DEPUTY REGISTRAR

(DIVYA BABBAR)
COURT MASTER (NSH)