

ITEM NO.33

COURT NO.6

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No.30454/2025

[Arising out of impugned final judgment and order dated 25-07-2025 in RFA No. 843/2022 passed by the High Court of Karnataka at Bengaluru]

PADMAMMA & ANR.

Petitioner(s)

VERSUS

R. SANTHOSH & ORS.

Respondent(s)

FOR ADMISSION

IA No. 267209/2025 - EXEMPTION FROM FILING O.T.

Date : 31-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. D N Goburdhan, Sr. Adv.
Mrs. Rajani K Prasad, Adv.
Mr. B. Krishna Prasad, AOR
Mr. Chandramohan, Adv.

For Respondent(s) :Mrs. Vaijayanthi Girish, AOR
Mr. Girish Ananthamurthy, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The operative part of the impugned judgment and order passed by the High Court reads thus:-

“(i) The appeal is allowed;

(ii) The judgment and decree dated 03.03.2022 passed in O.S.No.352/2006 on the file of the Principal Senior Civil Judge & JMFC, Anekal is set aside;

(iii) Consequently, the suit filed by the plaintiff for specific performance of the agreement to sell dated 10.11.1996 is decreed;

(iv) The defendants are directed to execute a registered sale deed in favour of the plaintiff in respect of the suit schedule property measuring 2 acres 1 gunta in Sy.No.537, within a period of eight weeks from the date of receipt of a copy of this judgment, upon payment of the balance sale consideration by the plaintiff;

(v) In the event of default by the defendants, the plaintiff shall be entitled to initiate execution proceedings through Court for registration of the sale deed;

(vi) No order as to costs."

2. The learned senior counsel appearing for the petitioners-original defendants (vendors) would submit that the agreement of sale is of the year 1996. The suit instituted by the respondents-original plaintiffs came to be dismissed. The High Court has allowed the First Appeal and decreed the suit and has granted the relief for specific performance.

3. According to him, 30 years have passed by and the prices of the land in the area have escalated to a considerable extent. He has put forward two proposals. First either the petitioners herein would pay something to the respondents to put an end to the dispute or secondly, the respondents be asked to pay something reasonable over and above the balance sale consideration and get the sale deed executed.

4. Issue notice, returnable in four weeks.

5. Mr. Girish Ananthamurthy, the learned counsel accepts, and waives service of notice for and on behalf of the respondent no.1

6. Parties to maintain *status quo* as regards the nature, character and possession of the suit property.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)