

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
(Civil Appellate Jurisdiction)

SECOND APPEAL NO. 496 of 2002

(Appanna Satyappa Magdum	Appellant
Versus	
Annaso Satappa Magdum and ors	Respondents)

Mr. Uday Warunjikar, Advocate for appellant

CORAM : R.K.Deshpande, J.
DATED : 15th JUNE, 2015.

P.C.

The trial Court refused to grant a decree for specific performance of contract, but directed the defendants to refund the amount of Rs.7,000/- to the plaintiff. This decision of the trial Court delivered on 15th September, 1989, was the subject matter of Regular Civil Appeal No.653 of 1989. The appellate Court has dismissed the appeal and has concurred with the findings recorded by the trial Court.

The question before the courts below was whether the plaintiff has established the readiness and willingness to perform his part of contract. The issue has been answered against the plaintiff. There is no perversity in recording such finding. No substantial question of law arises. The second appeal is dismissed.

(R.K.DESHPANDE, J.)