

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Second Appeal No.346 of 2014
(Kamlabai wd/o Waman Thakre v. Waman s/o Ajabrao Deshmukh (Dead),
through LR's. Yuvraj s/o Waman Deshmukh and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri S.O. Ahmed, Advocate for Appellant.
Shri M.R. Johrapurkar, Advocate for Respondent No.1B.

Coram : R.K. Deshpande, J.
Date : 13th June, 2016

The Trial Court dismissed the suit for specific performance of oral agreement dated 30-4-2000. The lower Appellate Court has concurred with the findings recorded by the Trial Court and dismissed the appeal. Hence, the original plaintiff is before this Court.

The claim was of the oral agreement dated 30-4-2000 for a total consideration of Rs.1,45,000/-, out of which, it is claimed that an amount of Rs.45,000/- was paid. Both the Courts below have recorded the finding that there is no evidence on record to establish the oral agreement dated 30-4-2000 and also the payment of Rs.45,000/- towards the earnest money. Even before this Court, such evidence has not been pointed out.

No substantial question of law arises for consideration.
The second appeal is dismissed.

Judge.

Lanjewar