

A.No.4289 of 2016

M.M.SUNDRESH, J.

Seeking leave to institute the suit in respect of the respondents, who are residing outside the jurisdiction of this Court and in respect of the schedule mentioned property, the applicant/plaintiff has come up with this application.

2.The applicant is the plaintiff in the suit filed for recovery of money. Learned counsel appearing for the applicant submits that pursuant to the sale agreement, the applicant has made substantial payment, being part of sale consideration. On the failure of the respondents to comply with the terms of the agreement despite receiving substantial amount, a complaint was given. Thereafter, the respondents issued a cheque and the same was received by way of part payment. However, contrary to the undertaking, the remaining amount has not been paid.

3.Considering the submissions made by the learned counsel for the applicant and the averments made in the plaint, leave is granted.

30.08.2016

mmi

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