

CMP.No.2583 of 2021
in
AS.No.612 of 2011

A.A.NAKKIRAN, J.

This petition has been filed to modify the order of this Court made in A.S.No.612 of 2011 dated 03.04.2017.

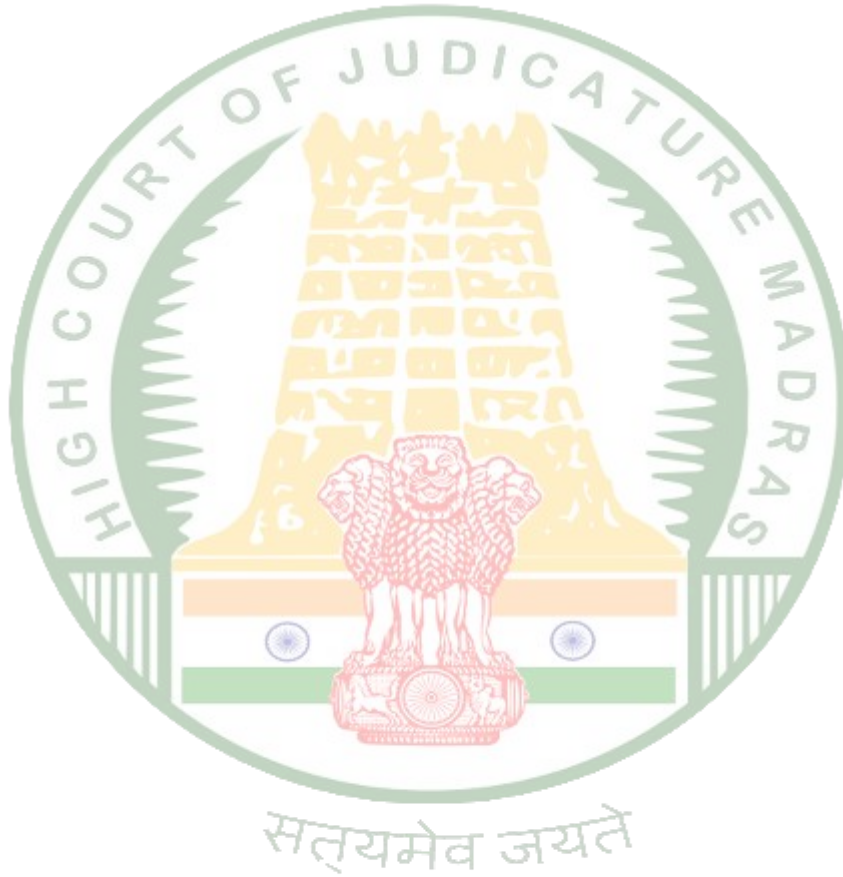
2. The learned counsel for the petitioner has submitted that due to the family circumstances, the petitioner has paid a total sum of Rs.5,40,000/-, that too, under time barred situations and the respondent is not at all entitled for any specific performance of contract of sale. Though this Appeal came up for several hearings, there was no representation on behalf of the respondent. The legal notice dated 06.08.2020 sent to the respondent was replied by notice dated 23.09.2020 without any legal grounds. Hence, he seeks modification of the order in the above Appeal dated 03.4.2017.

3. Learned counsel for the respondent has vehemently opposed for allowing this petition on the grounds that the Petitioner can file only a review petition and that in the petition she has not stated about the kind of modification she has sought for.

4. Considering the facts and circumstances of the case, this court is of the view that instead of filing a review petition, the petitioner has filed this petition and

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hence, this petition, seeking to modify the order, is liable to be dismissed and accordingly, it is dismissed, with a liberty to file a review application.



22.10.2021

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