



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

SECOND APPEAL NO. 36 OF 2025

Vijay S/o. Raghunath Badhe

Vs.

Sau. Manju W/o. Kishor Baheti

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

Court's or Judge's Order

Shri Akshay Naik, Senior Advocate a/w. Shri Madhur Deo, Advocate for
appellant.

CORAM :- M. W. CHANDWANI, J.

DATED :- 18.02.2025

Heard.

2. This appeal challenges the concurrent finding of the Courts below. The suit of the respondent for specific performance of contract came to be decreed by the Trial Court and also confirmed by the Appellate Court on an appeal filed by the appellant.

3. It is a matter of record that earnest amount has been paid through a cheque, which has been received by the appellant. Both the Courts below have recorded the findings of the fact that the transaction entered between the parties was an agreement to sell and not a money lending transaction.

4. In view of the concurrent findings of the fact, no interference is required in the judgment and decree of

the Trial Court as well as the Appellate Court. Hence, no substantial question of law arises in the appeal and consequently, it is dismissed.

(M. W. CHANDWANI, J.)