

**SUPREME COURT OF INDIA**

Basavantappa

Vs.

Irappa

C.A.No.14365 of 2015

(Anil R.Dave and Adarsh Kumar Goel,JJ.)

11.02.2016

**JUDGMENT**

**Anil R. Dave, J.**

(Arising out of SLP(C) No.29373/2012)

1. Leave granted.
2. The only issue is with regard to payment of the amount which had been paid by the appellant to the respondents at the time of entering into an agreement to purchase the property in question.
3. In view of the fact that the suit filed by the appellant for specific performance had been dismissed on the ground that the respondents did not have title, the respondents must repay the amount received by them from the appellant. The amount shall be returned within two months from today with simple interest @9%.
4. Intimation of this order be served upon the respondents.
5. The appeal is allowed. Pending application, if any, stands disposed of. There shall be no order as to costs.