

Specific Relief Act, 1963, Section 28 – [CPC](#), 1908, Order 20 Rule 12A – Shows that in every decree of specific performance of a [contract](#), the court has to specify the period within which the payment has to be made – In the present case, the said period was two months from the date of the decree – In absence of the said time being extended, the decree-holder could execute the decree only by making the payment of the decretal amount to the judgment-debtor or making the deposit in the court in term of the said decree

Neither the said deposit was made within the stipulated time nor extension of time was sought or granted and also no explanation has been furnished for the delay in the making of the deposit – In an appropriate case the Court which passed the decree could extend the time as envisaged in the Specific Relief, 1963 – In the present case no such steps have been taken by the decree-holders – If the judgment-debtor has not sought recession of the contract, it does not automatically result in extension of time.

[Subscribe to read full note / judgment](#)

[2017 PLRonline 314002](#)