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SUPREME COURT

Supreme Court

Hardship Claim Under Specific Relief Act Requires Proof of Unforeseeable Circumstances

Sheikh Rayees • December 21, 2024

PUBLISHED REPORT

In a significant ruling, the Supreme Court clarified that a claim of "hardship" under Section 20 of the Specific Relief Act, 1963, can only be upheld if it is proven that the hardship was unforeseeable at the time the contract was formed. The judgment arose from an appeal challenging a Tripura High Court decision that overturned a trial court's directive for the specific performance of a sale agreement. The case...

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