

Witness called and duly sworn on 06.09.2021.

Examination in chief : by Kum.JR, advocate for Plaintiffs.

I am the Plaintiff No.1 in this case. I have filed my affidavit evidence in lieu of examination-in-chief. Its contents are true and correct and prepared on my dictation. It bears my signature.

I have produced following documents and they are marked as follows:

Ex.P.1	C/C of sale deed dtd:22.03.2014 executed by Joint Secretary BDA in favour of Narayanamurthy
Ex.P.2	C/C of sale deed dtd:13.02.2014 executed by Joint Secretary BDA in favour of Rajesh Bod
Ex.P.3	C/C of the E.C. form No.15 dtd:30.09.2016
Ex.P.4	C/C of the sale deed dtd:08.08.2011 executed by G.Susai Mary in favour of Boda Suryanarayana Murthy
Ex.P.5	C/C of the sale deed dtd:05.06.2009 executed by Jayaraman and another in favour of Boda Prabhavathi Murthy
Ex.P.6	C/C of the sale deed dtd:06.09.2010 executed by K.Anand Kumar in favour of Boda Suryanarayana Murthy
Ex.P.7	C/C of the sale deed dtd:04.03.2013 executed by Jain Swarnamala in favour of Rajesh Boda
Ex.P.8	C/C of the Conditional deed for sale dtd:11.01.2013 executed by Assistant Executed Engineer, KHB, Bengaluru
Ex.P.9	ICICI bank Cheque book standing in the name of Boda Suryanarayana Murthy (HUF) (05 cheque leafs i.e. 051406 to 051410)
Ex.P.10	Partnership deed dtd:28.01.1988

Ex.P.11	C/C of the petition in O.A.No.150/2001 on the file of DRT, Ahemadabad.
Ex.P.12	C/C of the written statement filed by Respondent No.1 to 5 in O.A.No.150/2001 on the file of DRT, Ahemadabad.
Ex.P.13	Letter of acknowledgement given to Manager India Bank, Ahemadabad
Ex.P.14	C/C of the declaration dtd:06.07.1994
Ex.P.15	C/C of the Order passed in O.A.No.150/2001 on the file of DRT, Ahemadabad
Ex.P.16	Summary of accounts issued by ICICI bank, Bengaluru – 10.
Ex.P.17	Letter dtd:08.09.2012, issued by Kraft foundation, Bengaluru to the Commissioner and Director of Agriculture, Andhra Pradesh, Hyderabad.
Ex.P.18	Credit card statement issued by HDFC bank
Ex.P.19	Bill dtd:04.03.2013 issued by Hotel Windsor, Patna.
Ex.P.20	Courier receipt dtd:25.04.2005
Ex.P.21	Letter dtd:14.10.2002 issued by Global Agrotech to M.Hanumanthappa
Ex.P.22	Courier receipt dtd:21.06.2004
Ex.P.23	Letter dtd:09.07.2009, issued by Kraft foundation, Bengaluru to the ICICI bank.
Ex.P.24	Invoice dtd:10.10.2013 issued by Global Green Agrinova, Bengaluru
Ex.P.25	Professional Courier receipt
Ex.P.26	Invoice dtd:09.10.2013 issued by Magntys Agrinova, Bengaluru
Ex.P.27	TRL courier receipt dtd:09.02.2013
Ex.P.28	Invoice dtd:19.06.2008 issued by Magntys Agrinova, Bengaluru

Ex.P.29	Invoice dtd:18.07.2011 issued by Kraft foundation along with lorry receipt
Ex.P.30	Statement of account and price list for the year 2013-14 issued by Global Green Agrinova dtd:10.04.2013 along with lorry receipt
Ex.P.31	Copy of the case record pertains to W.C.No.3028
Ex.P.32	06 photographs (all together marked)

(Advocate for defendant objected for marking Ex.P.9 and 17. On the ground that, the Plaintiffs have not shown the source how they obtained the site documents. Subject to his objections said documents are marked.)

On the request of Plaintiffs counsel, deferred for further chief-examination.

(Typed by the typist to my dictation in the open Court)

R.O.I. & A.C.

(Khadarsab)
C/C XXIX Addl. City Civil &
Sessions Judge, Bengaluru.

Witness called and duly sworn on 24.09.2021.

Further examination in chief : by Kum.JR, advocate for Plaintiffs.

I have produced following documents and they are marked as follows:

Ex.P.33	Invoice dtd:05.07.2004
Ex.P.34	Invoice dtd:13.07.2005
Ex.P.35	C/C of the sale deed dtd:19.05.2014 in respect of BDA site No.17/J, BBMP khatha No.1497/17/J
Ex.P.36	C/C of the sale deed dtd:15.04.2015 in respect of Site No.602, BBMP khatha No.510/602
Ex.P.37	ICICI bank statement of account pertains to A/C No.029601000562 standing in the name of Rajesh Boda for the period 01.01.2008 to 31.03.2008
Ex.P.38	Aadhar Card pertains to Satish Boda

On the request of Defendants counsel, deferred for cross-examination.

(Typed by the typist to my dictation in the open Court)

R.O.I. & A.C.

(Khadarsab)
C/C XXIX Addl. City Civil &
Sessions Judge, Bengaluru.

Witness called and duly sworn on 23.12.2021.

Further examination in chief: by Sri.JR advocate for Plaintiff.

I have produced following documents and they may be marked as follows:

Ex.P.39	Invoice dtd.16.12.2008
Ex.P.40	Statement of account of HDFC bank dtd.18.01.2008
Ex.P.41	Statement of account of ICICI bank dtd.19.03.2008
Ex.P.42	Letter of HDFC bank dtd.22.09.2021
Ex.P.43	Translated copy of invitation letter dtd.03.03.2013 (marked subject to objection by the defendant's counsel)
Ex.P.44 and Ex.P.44(a)	Property tax paid bill in Gujarathi Language and notarized translated copy of property tax paid bill of Ahemadabad Municipal corporation dtd.13.07.1998 (marked subject to objection by the defendant's counsel)
Ex.P.45 and Ex.P.45(a)	C/C of sale deed dtd.10.10.1991 in Gujarathi Language and notarized translated copy of sale deed dtd.10.10.1991 (marked subject to objection by the defendant's counsel)
Ex.P.46	C/C of sale deed dtd.19.05.2014 (marked subject to objection by the defendant's counsel)
Ex.P.47 and Ex.P.47 (a to z)	C.D. pertaining to 26 e-mails attachments (marked subject to objection by the defendant's counsel)

Ex.P.48	C.D. pertaining to photographs (marked subject to objection by the defendant's counsel)
Ex.P.49	Affidavit U/s 65 B of Indian evidence Act
Ex.P.50	C/C of confirmation deed dtd.16.07.2016 (marked subject to objection by the defendant's counsel)
Ex.P.51	C/C of Statement of account on Indian Bank (marked subject to objection by the defendant's counsel)

Cross-examination: Advocate for Defendants prays time. Hence
deferred for cross-examination.

(Typed by the typist to my dictation in the open Court)

R.O.I. & A.C.

(R. RAVI)
XXIX Addl. City Civil &

Sessions Judge, Bengaluru.

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Witness called and duly sworn on 14.06.2022.

Permitted to mark the documents on order of I.A.No.17.

Further Examination in chief: by Sri.JR, advocate for Plaintiff.

I have produced following documents and they may be marked as follows:

Ex.P.52	Advance receipt dtd.20.02.2013 (marked subject to objection by the defendant's counsel)
Ex.P.53	Letter of Kalpatharu seeds and forms (marked subject to objection by the defendant's counsel)
Ex.P.54	Carbon copy of XPS cargo services dtd.23.10.2003 (marked subject to objection by the defendant's counsel)
Ex.P.55	Carbon copy of Vijayananda road lines dtd.22.06.2004 (marked subject to objection by the defendant's counsel)
Ex.P.56	Carbon copy of TCI XPS dtd.18.07.2011 (marked subject to objection by the defendant's counsel)
Ex.P.57	Carbon copy of TCI XPS dtd.21.10.2013 (marked subject to objection by the defendant's counsel)
Ex.P.58	Carbon copy of XPS cargo services dtd.05.07.2004 (marked subject to objection by the defendant's counsel)
Ex.P.59	Carbon copy of GATI dtd.12.07.2005 (marked subject to objection by the defendant's counsel)
Ex.P.60	Carbon copy of Global Agro tech dtd.03.05.2003 (marked subject to objection by the defendant's counsel)
Ex.P.61	Global Agro tech invoice dtd.25.04.2005 (marked subject to objection by the defendant's counsel)
Ex.P.62	Global Green Agrinova Invoice dtd.23.06.2004 (marked subject to objection by the defendant's counsel)
Ex.P.63	Global Green Agrinova Invoice dtd.23.06.2004 (marked subject to objection by the defendant's counsel)
Ex.P.64	Carbon copy of KESINENI cargo carriers dtd.16.12.2008 (marked subject to objection by the defendant's counsel)

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Cross-examination: Advocate for Defendant prays time. Hence deferred for cross-examination.

(Typed by the typist to my dictation in the open Court)

R.O.I. & A.C.

(PRAVEEN KUMAR R.N.)
XXIX Addl. City Civil &
Sessions Judge, Bengaluru.

ತಾ:06-07-2022ರಂದು ಸಾಕ್ಷಿಯನ್ನು ಕರೆಯಿಸಿ ಪ್ರಮಾಣವಚನ ಬೋಧಿಸಲಾಯಿತು.
ಪಾಟೀ ಸವಾಲು : ಪ್ರತಿವಾದಿ 1 ರಿಂದ 9 ಶ್ರೀಮತಿ ಎಂ.ಎಸ್ ವಕೀಲರಿಂದ:

ನಾನು ಬಿ.ಎಸ್ಸಿ., ಆರ್ಗಿಕಲ್ಚರ್ ಪದವೀಧರರಾಗಿರುತ್ತೇನೆ. ಪ್ರತಿವಾದಿ 1 ರವರು ನಮ್ಮ ತಂದೆಯಾವರಾಗಿದ್ದು ಇವರು ನಮ್ಮ ಕುಟುಂಬದ ಮುಖ್ಯಸ್ಥರಾಗಿದ್ದರು. ಪ್ರತಿವಾದಿ 2 ನಮ್ಮ ತಾಯಿಯಾಗಿರುತ್ತಾರೆ. ಪ್ರತಿವಾದಿ 3 ಇವರು ಒಟ್ಟು ಕುಟುಂಬದ ಸದಸ್ಯರಾಗಿದ್ದು ನನ್ನ ತಮ್ಮ ನಾಗಿರುತ್ತಾರೆ. ಪ್ರತಿವಾದಿ 9 ಇವರು ನನ್ನ ಅಕ್ಕಳಾಗಿರುತ್ತಾಳೆ. ನನಗೆ ನನ್ನ ವಾದಪತ್ರದ ಎಲ್ಲಾ ಕಂಡಿಕೆಗಳಲ್ಲಿರುವ ಅಂಶಗಳು ನೆನಪಿರುವುದಿಲ್ಲ. ವಾದಪತ್ರದಲ್ಲಿ ಕಬ್ಬ ಕೇಳಿದ ಬಗ್ಗೆ ನಮೂದಿಸಿರುವುದಿಲ್ಲ ಎನ್ನುವುದಕ್ಕೆ ಸಾಕ್ಷಿದಾರರು ನಾನು ವಾದಪತ್ರವನ್ನು ಬರೆದಿರುವುದಿಲ್ಲ ಹಾಗಾಗಿ ಅದರಲ್ಲಿ ಬರೆದಿರುವುದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತಾರೆ.

ಪಾಟೀಸವಾಲು: ಪ್ರತಿವಾದಿ ಪರ ವಕೀಲರು ಸಮಾಯಾವಕಾಶ ಕೋರಿದ್ದು ಪಾಟೀ ಸವಾಲನ್ನು ಮುಂದೂಡಲಾಗಿದೆ.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಬೆರಳಚ್ಚುಗಾರರು ನನ್ನ ಉಕ್ತಲೇಖನದ ಮೇರೆಗೆ ಸಾಕ್ಷಿಯ ಸಾಕ್ಷ್ಯವನ್ನು ಬೆರಳಚ್ಚು ಮಾಡಿಸಲಾಯಿತು)

ಓ. ಹೇ. ಕೇ. ಸ. ಇದೆ.

(ಎ. ಈರಣ್ಣ)
ಪ್ರಭಾರ 29ನೇ ಅ.ನ.ಸಿ. ನ್ಯಾಯಾಧೀಶರು,
ಬೆಂಗಳೂರು ನಗರ.