

Witness present and duly sworn on 05-07-2022.

Further cross examination by Sri. MSG Advocate for defendant No.4(c) :-

Now witness is shown the photograph and asked the said photograph depict the building belonging to the defendant No.4(c) and witness admits and the same is marked as Ex.D1. Witness further says the building of the defendant No.4(c) shows the stair case built in metal. For the purpose of identification the portion marked in the Red pen is marked as Ex.D1(a). Now the witness is shown one more photograph and admits the same and the same is marked as Ex.D2. It is true that the building of the defendant No.4(c) as shown in Ex.D1 & D2 faces towards the southern side. Witness again says he do not know.

Q: Now the witness is shown Ex.P8 and asked the number show as 102 is altered and rewritten ?

A: I do not know.

Q: Now the witness is asked Ex.P8 does not contained the boundaries ?

A: On the seeing the Ex.P8, witness remains silent.

It is false to suggest that the Ex.P8 is not pertaining to the allotment of site bearing No.102. It is false to suggest that Ex.P8 pertains to some other site and the site No.102

is inserted and created for the purpose of the case. I do not know site No.101 & 103 adjacent to the site No.102 is also facing souther side.

Q: Can you say on what basis the boundaries is mentioned in your sale deed at Ex.P1 as ಹಕ್ಕುಪತ್ರ Ex.P8 does not contain the boundaries ?

A: Based on the GPA.

I have got prepared sale deed at Ex.P1. I do not know at page No.2 of Ex.P1, there is a striking down of 4 lines after writing of the word GPA.

Q: Now the witness is shown Ex.P7 and asked Ex.P7 is the GPA and the said GPA bears the reference in page No.2 of Ex.P1 and the same as been strike out ?

A: I do not know.

It is false to suggest that as per Ex.P7 the GPA Holder Dr. Gajendra did not have the power to execute the sale deed. It is false to suggest that the office of the Sub-Registrar on noticing that Dr. Gajendra did not have the power to execute the sale deed and as such the reference of the GPA was strike out in the sale deed. I do not know Dr. Gajendra did not have the possession and as such Dr. Gajendra could not have handed over the possession to

my mother as per sale deed. I do not know Dr. Gajendra was given possession in the GPA.

It is false to suggest that Krishnappa nor the Gajendra were in possession of the property and as such they could not have given possession of the property to my mother.

Q: Did Krishnappa or Gajendra were holding khatha in respect of the suit property ?

A: No. But Krishnappa had Form No.18 issued by the Panchayath.

I have to see whether I can produced Form No.18. I have taken Electricity connected in respect of suit property. I can produced the document to that effect. I have produced the letter issued by the Panchayath to show that my mother possession in the property. It is false to suggest that my mother nor myself were never in possession of the suit property. It is false to suggest that the boundary as shown in the sale deed at Ex.P1 is not in existence. I do not know there is no site bearing No.102 facing northern side. I have stated in my plaint that the defendants by name Bachegowda, Anand and Muniraju have interfered with our possession of the suit property. I do not know my mother had filed earlier case against Bachegowda and Anand for injunction and not against Muniraju.

It is false to suggest that my mother was aware that Bachegowda and Anand did not have any right over the property bearing No.102. It is false to suggest that my mother obtained exparte injunction order against Bachegowda and Anand and enforcing the exparte order of temporary injunction against the defendant No.4 and was interfering with the possession of defendant No.4. I do not know defendant No.4 has impleaded in the case filed by my mother prior to this suit. I do not know defendant No.4 had filed a case against my mother for an injunction not to interfere with the possession of the defendant No.4. I do not know my mother had filed the written statement in the suit filed by the defendant No.4 I do not know my mother expired during the pendency of the suit filed by the defendant No.4 and the earlier case filed by my mother. Witness volunteers that her mother is dead.

I do not know after the death of my mother the defendant No.4 has withdrawn the case. I know the case filed by my mother was dismissed. In the year 2002 I came to know defendant No.1 Muniraju had executed a sale deed in favour of defendant No.3 Bharathi. I do not know whether I have challenged the sale deed executed by the Muniraju in favour of Bharathi till today. Witness again says the sale deed is of the year 2012.

Q: Can you say when did you came to know that Muniraju got Hakku Patra in respect of property bearing No.102 ?

A: I do not remember.

It is false to suggest that prior to the execution of the Ex.P1 my mother and myself were aware that Muniraju was holding Hakku Patra in respect of property bearing No.102. I do not know as on the date of filing of the earlier suit by my mother for an injunction, the defendant No.3 has already sold the property in favour of defendant No.4. It is false to suggest that defendant No.5 & 6 are no way concerned with the suit property. It is false to suggest that my mother and myself have set up defendant No.5 & 6 i.e. Bachegowda and Anand and filed false case. It is true that the complaint is filed only against Bachegowda and Anand.

For further cross examination is deferred on request.

(Typed to my dictation in open Court)

R.O.I. & A.C.

(Nerale Veerabhadraiah Bhavani)
V ACC & SJ, Bengaluru.