

Witness recalled and duly sworn on 11-08-2022.

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

As per my understanding, the defendant No.4 is in possession of the site No.102 from 2012 onwards. It is false to suggest that prior to 2012 Sri. Muniraju was in possession of the site No.102. It is false to suggest that the defendant No.4(c) has constructed the house and residing in his property and the property claimed in the plaint are two distinct and separate property. I do not know when the defendant No.4 had constructed building in site No.102. Witness volunteers that in the year 2012, there was a galata.

Q: In para No.11 of your affidavit, you have stated the defendants have interfered over the suit schedule property, can you say which of the defendants have interfered in the suit schedule property ?

A: Defendant Bachegowda and Anand.

It is true that in the year 2012, I was aware of the sale deed executed by defendant No.1 in favour of defendant No.3 and in turn the defendant No.3 to 4. It is false to suggest that I have not challenge the sale deeds of the defendants as mentioned above except filing the present suit. Witness volunteers that he has challenged. It is false

to suggest that my mother and myself were aware of all the transactions and also knowing fully well that the defendant No.4 was the owner of the property bearing site No.102 but my mother had filed a false injunction suit only against Bachegowda and Anand.

Prior to 2012, there was a shed and in which the business of Tiles factory was carried on. My friend was running the Tiles factory. I have produced the document to show that my friend was running the Tiles factory. It is false to suggest that I have not produced any document to that effect. In the year 2004, my friend had vacated the suit property. Thereafter, myself, my mother and my sister were residing the suit property. It is false to suggest that myself nor my mother including my mother's vendor Gajendra and his vendor Krishnappa were never in possession of the suit property. It is false to suggest that Muniraju was in possession of the site No.102 and thereafter Bharathi till 2012 and subsequently the defendant No.4. It is false to suggest that Muniraju was the original owner of the site No.102 and thereafter Bharathi till 2012 and subsequently the defendant No.4 Lakshminarayana. It is false to suggest that no other person except Muniraju, Bharathi and Lakshminarayana are the owner of the site bearing No.102.

It is false to suggest that myself, my mother's vendor do not have any manner of right, title or interest in site No.102.

I do not know the northern side of the site bearing No.102 is the site bearing No.95. I do not know the defendant No.4 in which he is possession of the property and northern side of the property is site No.95. It is false to suggest that there is no road on the northern side of the property in which the defendant No.4 is residing. It is false to suggest that there is no site bearing No.98 towards the southern side of the property in which the defendant No.4 is residing. I do not know the value of the suit property in the year 2017. I do not know the defendant No.4 had incurred the cost of Rs.50,00,000/- to construct the building. It is false to suggest that I do not have any manner of right, title or interest in respect of the suit property or the site bearing No.102 and in order to knock of the property I have filed the present suit with the fraudulent injunction.

Re-examination Nil.

(Typed to my dictation in open Court)

R.O.I. & A.C.

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