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filed a case as per O.S.3358/1997 challenging the judgment and order passed in O.S.2140/1982. It is true to say that the judgment and decree passed in O.S.2140/1982 was set aside. Witness volunteers that because of that we filed this suit. I do not know that RFA 358/2002 was dismissed on 01.06.2004 for non prosecution.

(D1 counsel prays time for further cross examination. Time granted).

(Computerized to my dictation in the open court as deposed by the witness.)

R. O. I. & A. C.,

(MAMTAZ)

IX Addl. C.C. & S.J., Bengaluru.

Witness is present and duly sworn on 28.02.2024.

Further cross examination by Sri. PRH advocate for D1 :

For D1 and his family 30 guntas were sold and not 8 sites were sold. I do not know what has written in Ex.P.2 confirmation deed. I have not gone through Ex.P.2 while producing it before the court and I did not have any impediment to know about it. It is true to say that in Ex.P.2 confirmation deed myself, my mother and my sisters have affixed our signatures and thumb impressions upon it. The witness volunteers we have signed to Ex.P.2 only with regard to 30 guntas. I have not gone through the schedule of Ex.P.2 and I do not know about it. I do not know the averments mentioned in the schedule.

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I do not know the averments mentioned in Ex.P.1 sale deed dated 07.07.2004. Pertaining to Survey No.9 I have produced compromised petition and decree in O.S.2140/1982 as per Ex.P.3 and 4 respectively. I do not know to say that before filing O.S.2140/1982 some properties belonging to Survey No.9 were sold. Witness volunteers my mother sold which I do not know.

I have not seen any document to say that since from 1973 till today I am in possession of property in Survey No.9. I do not have any documents to show that I have paid the property tax pertaining to Survey No.9 since from 1973 till today.

In the year 1996 Survey No.9 came to the jurisdiction of BBMP. I have not seen Khata pertaining to Survey No.9 issued by BBMP. I have not paid any property tax to BBMP pertaining to Survey No.9. I do not know whether I have produced any document to show that I am in possession of Survey No.9.

I do not know about the case filed by my mother at O.S.7777/1996 against D1 seeking declaration. I do not know to say that, that case was dismissed on 03.01.2007. I do not know whether my mother filed O.S.11045/1998 and O.S.6673/1998 against D1 and I do not know whether they were dismissed or not.

I do not know about the case O.S.5819/2001 filed by D1 challenging the gift deed which was decreed.

I have not gone through the written statement filed by the defendants in the present case. I do not know whether the sale deed executed by Hanumanthappa and Gowda Annayappa in favor of Venkatasubamma was challenged or not.

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It is false to say that on the basis of sale deed dated 07.07.2004 D1 is in possession and enjoyment of plaint schedule property. I do not know who is in possession of plaint schedule property. I do not know whether I have the documents to show that I am in possession of plaint schedule property. I do not know who has executed the sale deed dated 07.07.2004 in whose favor. I do not know the sale deed executed in favor of D1 dated 07.07.2004. I do not know to say that D1 is the owner of plaint schedule property based on the sale deed dated 07.07.2004.

It is false to suggest that I am deposing falsely before this court. It is false to suggest that even though I know the sale deed dated 07.07.2004 executed in favor of D1 I am falsely deposing saying that I do not know about it. It is false to suggest that even though 27.02.2013 confirmation deed executed by me and my family I am falsely deposing that we have not executed the confirmation deed. I do not know whether I have ownership or possession of plaint schedule property. It is false to suggest that the D1 is in possession, enjoyment and ownership of the plaint schedule property. It is false to suggest that myself and other plaintiffs have no right, interest and title over the plaint schedule property. It is false to suggest that even though I know the averments made in the written statement and the case details mentioned in it I am deposing falsely saying that I do not know anything about it.

Re-examination : Nil.

O.S.1372/2016
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(Computerized to my dictation in the open court as deposed by the witness.)

R. O. I. & A. C.,

(MAMTAZ)

IX Addl. C.C. & S.J., Bengaluru.