Witness present and duly sworn on 02/09/2025.

Cross Examination by advocate for Respondent.

The property involved in this case bearing No. 866A and 866B. The said property situates at Singasandra Village, adjacent to Bengaluru Hosur Highway. The said property exists in property survey no.81/2A and 81/2C. I know that the respondent deposited the compensation amount in respect of acquired land in LAC 88/2017.

2. It is true that in respect of acquired property there was a suit in O.S. 3495 to 3497/2005. It is true that the judgment in the said suits have been challenged before Hon'ble High Court of Karnataka in RFA No. 1533 to 1537/2015. It is true that the said cases are pending before the Hon'ble High Court of Karnataka . It is true that the court in LAC 88/2017 disposed off with the order that the said order is subject to the result or out come of RFA No. 1533 to 1537/2015 and the said Judgment is produced by me at Ex.P. 21. When it is questioned to the witness that your property was not commercial property ; the witness said property was commercial property at present. The witness volunteers that the said property was a commercial property since 2003. My mother purchased the said property as per Ex.P.2 and 7. It is true that there was no mentioned or recital in Ex.P.2 and 7 that the said property was commercial property. It is true that schedule at Ex.P. 2 and 7 also no where discloses that the said properties are commercial properties. When it is questioned to the witness that you are not produced any document to show that the property involved in the case is the commercial property ; the witness said the BMRCL has paid the compensation by observing that we were running the hotel in the said property. According to me, we were running the hotel in the said property since 2014. I have not produced any document to show that we ran a hotel in the said property. It is true that Ex.P. 10 tax paid receipts no were discloses that the properties was the commercial property. It is true that Ex.P. 10 also disclose that the property had been classified as residential zone classification declared by the tax payer. It is true that I have not produced any documents in support of my claim in the evidence affidavit at para no.21 to 24.

3. As per the award the LAO awarded the compensation at Rs. 17,406.78/- per square meter. It is true that the BMRCL awarded the package compensation of Rs.2,61,85,782/- as per Ex.P.13. When it is questioned to the witness that do you have consent for the said award ; the witness said 7 to 8 years lapsed and the said compensation to be included with some more amount. It is true that at Ex.P. 25 at page no.4 it has been stated that ದಿನಾಂಕ 13-04-2017 ರಂದು ಅಧಿಸೂಚಿತ ಖಾತೆದಾರರಾದ ಜಾಹೀದ್ ಖಾನಂ ಮತ್ತು ಅಬ್ದುಲ್ ಸಿದ್ದಿಖ್ ಎಂಬುವವರು ಮನವಿಯನ್ನು ಸಲ್ಲಿಸಿ ಪ್ಯಾಕೇಜ್ ಮೊತ್ತದ ಬಗ್ಗೆ ಒಪ್ಪಿಗೆ ಇರುವುದಾಗಿಯೂ ನೋಟೀಸ್ ನಲ್ಲಿ ತಿಳಿಸಿರುವ ದಾಖಲೆಗಳನ್ನು ಒದಗಿಸಲು ಕಾಲಾವಕಾಶವನ್ನು ಕೊಡಬೇಕಾಗಿ ಕೋರಿರುತ್ತಾರೆ. It is true that as on 13-04-2017 we have given such letter to the LAO / KIADB. It is true that as on 13-04-2017 the Hon'ble High Court of Karnataka in the aforesaid appeals directed the parties to maintain status quo. It is true that after the receipt of notice at Ex.P. 17 dated 14-03-2017 we have given the representation as on 13-04-2017 to the respondent no.1 by giving our consent to the amount stated in Ex.P. 17. The property consists of building measuring 1250 square feet. It is true that I have not produced any documents as well as photographs to show the existence of building measuring 1250 square feet as claimed in my evidence affidavit at para no.20. It is false to suggest that there were no three commercial shops premises in the acquired property. According to me, commercial shops means Restaurant by name Fumzas Dine . It is true that license to be obtained to run the Restaurant and tax to be paid. It is true that I have not produced any License obtained to run the Restaurant and taxes paid. It is true that I have not produced even the photographs to show that there was a restaurant and commercial premises in the acquired property. It is true that I have not produced all these documents even in LAC 88/2017. It is false to suggest that the acquired property does not had any commercial value till that has been acquired by BMRCL. It is true that BMRCL acquired 150.29 square meters in 866A property and 23.80 square meter in 866B. It is true that total acquired property measuring is 174.09 square meter. It is false to suggest that I have not produced any document to show that the property had the value as claimed by me. It is false to suggest that value of the property have been increased after the acquisition. It is false to suggest that possession of the property was taken when the amount have been deposited to the court in LAC 88/2017. I have not produced any document to show that possession of the property had been taken prior to the depositing of amount in

LAC 88/2017. I do not have any document to show that the possession had been taken prior to the depositing of the amount as aforesaid.

Further cross examination : Deferred on request.

(Typed to my dictation in open court, as the deposition is proceeded with).

R.O.I. & A.C.

(Padma Prasad)
II Addl. City Civil & Sessions
Judge, and Spl. Judge,
Bangalore City.