<u>**Witness recalled and duly sworn on 11-2-2021**</u>

<u>**Further chief examination by Sri.BMR advocate for plaintiff:-**</u>

Now, I see the documents produced by the defendants as per the application filed by me under Order 11 Rule 14 on 27-2-2015.

Ex.P.39 is the Khatha extract for the period of 1982-1987 in respect of schedule 'A' property.

Ex.P.40 is the Khatha extract for the period of 1982-1987 in respect of schedule 'B' property.

Ex.P.41 is the Khatha certificate in respect of schedule 'A' property.

Ex.P.42 is the Khatha extract in respect of schedule 'A' property.

Ex.P.43 is the Khatha certificate in respect of schedule 'B' property.

Ex.P.44 is the Khatha extract in respect of schedule 'B' property.

Ex.P.45 is the property tax payment statement issued by BBMP in respect of schedule 'A' property for the period 200-2008.

Ex.P.46 is the Past property tax payment statement issued by BBMP in respect of 'A' schedule property for the period 2008-2014.

Ex.P.47 to Ex.P.65 are the Tax paid receipts (19 in nos.)

Further cross examination of PW-1 is deferred.

(Typed to my dictation in the open court.)

ROI & AC.,

(Jaishankar)
XV ACC&S Judge,
Bengaluru.

Witness recalled and duly sworn on 24-2-2021

Further cross examination by Sri. RS advocate for defendant No.3:-

It is true to suggest that my mother and her siblings have inherited a property by name Vedvilas at Tamilnadu. It is true to suggest that a partition took place between my mother and siblings and a portion was allotted to the share of my mother. The said partition took place around the year 2008. As on 2008, the value of the share allotted in the said property to my mother was around Rs. 24,00,000/-. My mother was a housewife. She had no personal income. Witness volunteers that she was working for the welfare of the joint family. It is true to suggest that all the properties and investments standing in the name of my mother were either given to her through my father and the property acquired by her in the partition. It is true to suggest that the items shown in item No.2 in the counter claim of defendant No.3 were standing in the name of my mother. Witness volunteers that most of them were standing in the name of my mother. It is true to suggest that the list of items shown in item No.1 of counter claim of defendant No.3 were given to my mother by my father. As per Ex.D.22, all 3930 shares of Hindustan Unilever Limited were standing in the name of my mother. Witness volunteers that my mother had invested the same. It is not true to suggest that my father had held 8100 shares in Hindustan Unilever Limited. The said shares were held by my mother. I was not aware of all the investments made by my mother. My father had told me about the same. It is true to suggest that apart from the above said investments, my mother had also made various investments. Since the said investments are made by my mother and since some of them are Stridhana of my mother and gift from my father, I did not include the same in the Plaint schedule. It is true to suggest that my mother died in the year 2018. It is not true to suggest that my mother died intestate and she did not leave any Will. I do not have educational qualification with regard to breeding of plants and developing new varieties of plants. Witness volunteers that it is a family business that we grew plants and elders have taught us.

Question :- Can you explain what is the contribution of my father in Science in respect of plant varieties and the patents ?

Answer:- My father was the main contributor and Mukund joined him later.

It is true to suggest that the document now shown to me is the Ordersheet in OS.No. 25060/2011. **It is marked as Ex.D.28.** My father gave instructions for publishing of the articles in Ex.P.36 to Ex.P.38. My father gave information jointly with Mukundan with regard to Ex.P.35 and Ex.P. 35(a). My father told me that Mukundan had also given information with regard to the same. My father and Mukundan gave instruction jointly for printing Ex.P.33 and Ex.P.34 (3 pictures) as it was a joint family business. Since my father and Mukundan were working together, I am saying that the instructions were given jointly. It is not true to suggest that Ex.P.32 to Ex.P.38 are created for the purpose of this case. My father has obtained permission from Registrar of Firms bequeathing and assigning his rights under patents. I have seen the said permission. I have no difficulty to produce the said permission. It is not true to suggest that no such permission is granted. I have documents to show that in the property tax extracts submitted to corporation authorities, it is mentioned as Hindu Undivided Family. I have no difficulty to produce the same. The said documents might be in my custody or in the custody of defendant No.5. It is not true to suggest that there are no such property tax extracts with respect to the suit schedule properties in which HUF is mentioned. I am not having income tax returns filed by my father in which he has indicated existence of HUF as stated by me in paras 22 and 23 of my affidavit. I can furnish PAN number PAN card with regard to the same. It is not true to suggest that my father has never filed any income tax returns under HUF and there is no such PAN number or PAN card. It is true to suggest that subsequent to submission of Ex.D.10 to SBM, stamp paper of Ex.D.11 has been purchased. It is true to suggest that Ex.D.12 – affidavit was given to SBM in support of my claim under Ex.D.10. Since the bank did not accept the Will as it was not probated, it is stated in Ex.D.12 that my father died intestate. Witness volunteers that we had given certified copy of the Will to the bank.

Further cross examination is deferred.

(Typed to my dictation in the open court.)

ROI & AC.,

(Jaishankar)
XV ACC&S Judge,
Bengaluru.