

Witness present and duly sworn on : 10-06-2019

Further Cross examination by Sri SSM adv for defendant No.1, 4 to 8:-

4. A. Vijayendra Raju was the owner of sy.No.13, prior to sale and formation of layout. I do not know whether the said Vijayendra Raju is the father of defendants No.4 to 8. I have stated in my plaint, paragraph No.7 that defendants No.4 to 8 are children of Vijayendra Raju. Witness is shown the complaint given to Soladevanahalli Police Station dated

9.12.2014 and witness identifies the same. The same is xerox copy. I don't have the original of the same. Based on my complaint, FIR at Crime No.256/2014, Ex.P23 was registered. I do not remember the dates of previous 2-3 complaints. I do not remember the exact dates, but it is almost in a continued period. I do not know the result of Ex.P23, and I had gone to give evidence before the Learned Magistrate. To produce the copy of the same, the witness says it is a different matter. The complaint was with respect to suit schedule property.

5. I do not know whether the name of P. Murthy is mentioned in Ex.P3 to Ex.P8, encumbrance certificates. I do not know whether in Ex.P2, GPA, it is mentioned, as to how P.Murthy became the owner of the suit property. I have not taken any legal opinion, prior to purchase. It is false to suggest that I have created Ex.P2, GPA. I have produced documents with regard to showing ownership of P. Murthy.

Q. Witness is given his documents and asked to show which document of this shows P.Murthy as owner?

Ans: Witness only says it is there, and how he could get sale deed executed.

6. I cannot produce the sale deed of P. Murthy. I do not know whether any sale deed in the name of P. Murthy is done. I can't vouch whether P. Murthy was at any time owner of suit property. I purchased property from one Mr Gurupade Gowda. According to me, Gurupade Gowda was the GPA Holder of owner of property.

7. I have shown suit schedule property based on my sale deed. There was a shed in the suit property of 10 ft x 10 ft, and I demolished the same. I have not mentioned in the plaint, but it is mentioned in sale deed, Ex.P1. I have no problem in producing the recent tax receipts. The PID number shown in Ex.P18 is 012-W0753-5. The PID number in Ex.P26 sale deed of Vijaya Kumari R., defendant No.1 is new PID number.

8. I have filed this suit in 2017. The PID number is not mentioned in my sale deed. It is false to suggest that I have been cheated by purchase of suit schedule property. I do not know whether P. Murthy and Gurupade Gowda have created false GPA. It is false to suggest that the defendants No.4 to 8 are owners and in possession of the suit property. It is false to suggest that defendants No.4 to 8 have sold property to defendant No.3. It is false to suggest that I came to know

about the ownership of defendants No.4 to 8 in 2014. It is false to suggest that all the documents produced by me on the strength of sale deed and GPA are false documents. It is false to suggest that I have filed false suit.

Cross examination by Sri BKD advocate for defendant No.3:-

9. Ex.P22 is with regard to borewell dug in site by me. The survey number is not mentioned in Ex.P22. It is true that Ex.P22, the address is mentioned as Geleyara Balaga, Hessarghatta Road, Bangalore. Chikkasandra and Geleyara Balaga are adjacent. They are not different areas. It is false to suggest that I have created Ex.P22. It is false to suggest that there is no borewell in the suit schedule property. To North side of the suit property is 30 feet road. Western side portions belongs to me. The said western side portions were formed out of sy.No.13. I have purchased those two sites also from Gurupade Gowda on same date i.e., of Ex.P1. I have no impediment in producing the said sale deeds. It is false to suggest that I have created Ex.P9 for purpose of knocking down suit property. It is also false to suggest that even Ex.P10 has been created by me.

O.S.NO.4291/2017  
PW1

(Learned advocate prays time for further cross examination. The witness is 75 years old as per the affidavit and witness says he is 79 years old. By granting time, loss, inconvenience and hardship will be caused to him. Hence prayer is rejected and further cross examination is taken as nil).

Re-examination : Nil

(Typed to my dictation in open court)

R.O.I & A.C.

(SACHIN KAUSHIK R.N.)  
III ACCJ, BANGALORE