

Witness present and duly sworn on 22-06-2022.

Cross examination f by Sri. GSP Advocate for Defendant No.2 :-

My mother and my brother i.e. the plaintiff No.1 & 3 have given oral instructions and authorized to appear on their behalf. My father Hemanna had purchase the property as mentioned in my affidavit by virtue of sale deed dated 07-09-1968 and the release deed dated 09-09-1968.

Q: Can you say the boundaries of the property No.1 as stated in your affidavit ?

A: East by property of plaintiff, West by the property of Boramma, North by Road and South by Water channel and the property of the plaintiff.

It is true that the description of the property shown in Ex.P2 & Ex.P3 discloses that the property is within the limits of Grama Panchayath. It is true that para No.10 of the plaint discloses adjacent to the property No.1 there is a Sy.No.47.

Q: Can you say how many items are purchased by virtue of the sale deed dated 29-04-1965 ?

A: My father has purchased around 5 to 6 items.

It is true that my father has purchased 4 items of the property by virtue of the sale deed dated 29-04-1965. It is true that Sy.No.47 measures about 2 acres 7 guntas of Nayandahalli village.

Q: Can you say the boundaries of Sy.No.47 ?

A: East by Bikshukanatha Swamy Ashrama. Now there is a Road, West by the building property of 1st defendant, North by Road and South by Kaccha Road.

It is true that the sale deed dated 29-04-1965 shows the item No.4 property of the said sale deed as a site property.

Q: Can you say the measurement of item No.4 of the property as shown in the sale deed dated 29-04-1965 ?

A: I do not know remember.

Q: Can you say looking into the sale deed dated 29-04-1965 ?

A: The measurement shown as East to West by 50 ft. and North to South by 80 ft.

I do not remember the boundaries of item No.4 of the property as described in the sale deed dated 29-04-1965.

Q: Now the boundaries of the item No.4 of the property as described in the sale deed dated 29-04-1965 is read out the witness and asked whether the boundaries mentioned to the item No.4 of the property is correct ?

A: It may be correct. Witness further says he was not born at that time.

I cannot say the Eastern side of the property of item No.4 as mentioned in the sale deed dated 29-04-1965 refers to "Item No.1 of the property purchased under the said sale deed". Witness says there are 4 properties are purchased under the sale deed and it may be any one of the 3 remaining properties on Eastern side. I cannot the exact Eastern side of the property of item No.4. I do not know in whose possession item No.4 of the property described in the sale deed. I do not remember whether I have seen item No.4 of the property as described in the sale deed dated 19-04-1965. I do not know the present boundaries of item No.4 of the property described under sale deed.

The property No.1 as described in my affidavit is in possession of the 1st defendant i.e. Smt. Nagarathnamma. Nagarathnamma came in possession of the property by virtue of the sale by my father. It is true

that Ex.P6 is a partition deed. As per the partition deed, A-schedule fallen to the share of my father.

For further cross examination is deferred on request.

(Typed to my dictation in open Court)

R.O.I. & A.C.

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