

Question : Do you know anything about ADLR report filed before Hon'ble High Court of Karnataka, Bengaluru in R.F.A.1227/2002?

Answer : We are not party to that R.F.A.1227/2002.

(PW2 prays time for further cross examination because of his personal inconvenience. Hence, cross examination of PW2 is deferred).

(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 13.07.2022.
Further cross examination by Sri. BTG advocate for D1 to D3 :

I do not have any personal knowledge of the plaint schedule property before my marriage and in between development took place within 24 years. The witness volunteers I can say depending upon the documents. It is true to say that I am not the party to the documents which have taken place before my marriage about the plaint schedule

property.

It is false to suggest that plaintiff has not given any GPA in favor of me. It is true to say that GPA has not been marked in my evidence. Witness volunteers that I have given the GPA.

Plaintiff is a silk merchant. He looks after his business. His shop is inside Jumma Masjid. As he is not feeling well he is not going to his shop. Since 1 year he is not attending his business. His son and staff are managing his business during this days. He is able to walk but his mental condition is not good. Since 20 years he is suffering from mental disorder. It is false to say that he has signed plaint and vakalath at the time of mental disorder. Witness volunteers when he was in solvent mind he signed tho plaint and vakalath. I have submitted the document saying that he has ups and downs in his mental condition. I have produced doctor certificates pertaining to this. It is false to suggest that I have not produced the doctor certificates before this court.

It is false to suggest that during last hearing date the plaintiff had come to court. I have perused the documents produced by us and I have not seen the documents produced by the defendants. I do not know anything about the written statement filed by the defendant.

The plaintiff had not made any survey, as per the records given by Puttarangamma the disputed land comes under Survey No.66/1. I have produced the documents to say that the disputed land is located in Survey No.66/1.

I do not know whether Puttarangamma was alive when Satyanarayana Pansari transferred the disputed land to Mahesh Pansari through GPA. I do not know that Puttarangamma was not alive when the disputed land was transferred to Mahesh Pansari through GPA. I do not know whether plaintiff had taken consent from Puttarangamma before making rectification deed. Witness volunteers they had GPA to make rectification deed.

Defendant No.4 is one of the cousins of Puttarangamma. I do not know whether defendant No.4 died or not.

Question : Even though defendant No.4 has died and his counsel has intimated about the death of defendant No.4 before the court, intentionally you have not brought the Lrs of defendant No.4 as parties to the suit?

Answer : I do not know.

Defendant No.1 to 3 and 4 are cousins of Puttarangamma as I have mentioned in para No.7 of affidavit in lieu of my chief examination. I have not produced any documents pertaining to this.

I do not know whether to bring Lrs of defendant No.4 to this suit. It is false to suggest that there is no family relationship between defendant No.1 to 3, 4 and Puttarangamma. I have not perused the documents about the matter which I have mentioned in para No.7 of affidavit in lieu of my chief examination.

I do not know whether the order passed in R.F.A.1227/2002 was challenged or not. Witness volunteers that it is not concerned to me. It is false to suggest that the matters that I have stated in my

affidavit in lieu of my chief examination are all untrue. I do not know whether defendant No.1 to 3 have taken the possession of disputed land as per the order of Hon'ble High Court of Karnataka, Bengaluru in R.F.A.1227/2002. Witness volunteers till today we are in possession of that property. It is false to suggest that the disputed land never lies in Survey No.66/1. I have produced all the documents to show that we are in possession of the disputed land.

Re-examination : Nil.

(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.

The PW2 is recalled as per the order dated 13.07.2022.

Witness is recalled and duly sworn on 13.07.2022.

Further chief examination of PW2 by Sri. NTH advocate for plaintiff :

I have produced the medical certificate issued by the Consultant Psychiatrist of Shanti Nursing Home, Bengaluru and the same is now marked as **Ex.P.27**. GPA dated 20.09.2021 given by Mahesh Kumar Pansari to me and the same is marked as **Ex.P.28**.

(Further cross examination is deferred at the request of counsel for D1 to D3).

(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.