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was never paid by way of cash to the defendant. I do not have any document to show that I have paid Rs.40,00,000/- in cash to the defendant. I am not aware whether the plaintiffs or the GPA holder of the plaintiff Suresh Kumar Pandey have submitted the income tax returns with regard to the payment of Rs.40,00,000/- in cash to the defendant.

(Defendant counsel prays time for further cross examination. Time granted).

(Computerized to my dictation in the open court as deposed by the witness.)

R. O. I. & A. C.,

(PRASHANTHI.G)

IX Addl. C.C. & S.J., Bengaluru.

Witness is present and duly sworn on 06.01.2026.

Further cross examination : by Sri. MSB counsel for defendant :

6. Except the Rs.40,00,000/- which is mentioned in Ex.P.3 I have no other documents to show that I have paid an amount of Rs.1,07,80,000/- to the defendant. I am not aware whether I have any documents to show that I have paid Rs.2,20,000/- towards TDS. It is not correct to suggest that except the Rs.40,00,000/- I have not paid any amount to the defendant under the sale agreement.

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7. I know with regard to the existence of other properties in the name of the defendant in the same locality. I am not aware whether the power of attorney holder of the plaintiffs No.1 and 2 by name Suresh Kumar Pandey has transacted with the defendant with regard to the other properties in the same locality. It is not correct to suggest that the said Suresh Kumar Pandey has paid Rs.17,80,000/- as well as Rs.50,00,000/- to the defendant under a different sale agreement in order to purchase the property in the same locality.

8. I am not aware when I have obtained the documents pertaining to the suit schedule property. I have made out legal opinion pertaining to the suit schedule property. I am not aware when I have obtained the legal opinion with respect to schedule property. I am not aware whether on 05.07.2021 I have obtained a legal opinion with respect to schedule property. I do not have any document to show that I have obtained the loan approval from IDBI Bank. Witness says that it may be.

9. The power of attorney holder of the plaintiff by name Suresh Kumar Pandey has contacted with the D3 before filing the suit. I cannot tell along with whom he contacted D3. It may be before 6 months Suresh Kumar Pandey contacted with D3. The D3 has not disclosed what is the outstanding loan amount which was pending with respect to the suit schedule property to Suresh Kumar Pandey. I am not aware immediately after the agreement of the sale Suresh Kumar Pandey along with D2 contacted the D3 and came to know about the outstanding loan is more that Rs.2,00,00,000/-. D3 has not

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stated with regard to the number of the sureties given by the D1 and D2 with respect to schedule property. I am not aware whether Suresh Kumar Pandey has moved for cancellation of the sale agreement immediately after he came to know about the number of the sureties given by D1 and outstanding loan. I was not aware for that reason Suresh Kumar Pandey returned the agreement of the sale to D1. It is not correct to suggest that after the return of the agreement of the sale an amount of Rs.12,70,000/- was received by the plaintiff out of Rs.40,00,000/-. Witness says that it is towards rent. It is not correct to suggest that after filing of the suit also the defendants are ready in order to return the remaining amount of Rs.27,30,000/- to the plaintiff.

10. I am not aware whether Suresh Kumar Pandey has informed with regard to the change of address of the defendant to the plaintiff. Plaintiff instructed the advocate in order to issue legal notice. I am not aware whether the change of address of the defendant was informed by Suresh Kumar Pandey to the plaintiff before issuing the notice. I am not aware whether the phone number as well as e-mail address of D1 and D2 are along with the plaintiff. I am not aware whether legal notice was issued to D1 and D2 either through Whatsapp or e-mail. Plaintiffs have not come to Bengaluru in order to execute the power of attorney in my favor. It is not correct to suggest that I am not aware of the transaction in between the plaintiff and D1 and D2 and I am deposing falsely before the court. I have not impediments to call Suresh Kumar Pandey before the court in order to give the evidence. It is not correct to suggest that only

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Rs.27,30,000/- was the remaining balance amount which the defendants are liable to pay to the plaintiff and they are ready to pay the same. It is not correct to suggest that in order to obtain the illegal gain I have filed the false suit against the defendant.

Re-examination : Nil.

(Computerized to my dictation in the open court as deposed by the witness.)

R. O. I. & A. C.,

**(PRASHANTHI.G)
IX Addl. C.C. & S.J., Bengaluru.**