

WITNESS PRESENT AND DULY SWORN ON : 12.12.2024.**Cross Examination by Miss.Vaisnavi.P Advocate for Petitioner :**

- 1) Respondent – Shashikala is my wife. It is false to suggest that in the Affidavit evidence and GPA marked at Ex.R.1, I have not mentioned my residential address. My residential address is No.93/B, 1st R Block, 20th B main, Rajajinagar, Bengaluru – 10.
- 2) It is false to suggest that Respondent was a tenant under G.P.Gavirangappa. It is false to suggest that upto March-2019 Shashikala paid rent with respect to schedule premises to the hands of G.P.Gavirangappa.
- 3) It is false to suggest that as per Ex.P.1 Gavirangappa informed Shashikala that in a partition disputed premises fell to the share of his son – Petitioner. It is false to suggest that Gavirangappa informed to pay rent to the hands of Petitioner – Vyshak from April -2019.
- 4) My wife Shashikala studied SSLC. Signature visible on Ex.P.2 – Postal acknowledgment card may be made by me.

- 5) **Question:** Respondent sent cheques towards rent with respect to schedule premises for the month of April, May, June – 2019 to the Petitioner along with letters marked at Ex.P.3 ?

Answer : Under fear Petitioner returned that letter along with cheque.

- 6) It is false to suggest that Petitioner without presenting the cheque for encashment returned insisting to register new lease agreement or rent agreement with new owner (Petitioner). Witness clarifies that the Petitioner is not the owner.

- 7) **Question:** Respondent sent cheques towards rent with respect to schedule premises for the month of July to September – 2019 to the Petitioner along with letters marked at Ex.P.4 ?

Answer : Petitioner is not the owner of the premises.

- 8) It is false to suggest that Petitioner without presenting the cheque for encashment returned as per letter marked at Ex.P.5 insisting to register new lease agreement or rent agreement with new owner (Petitioner). Witness clarifies that

the Petitioner is not the owner.

9) It may be true that as per acknowledgment card marked at Ex.P.6 the letter marked at Ex.P.5 may be received by me.

10)**Question:** Even after receipt of the letter marked at Ex.P.5 Respondent neither coopreated with Petitioner to enter new lease agreement nor vacated disputed premises ?

Answer : Petitioner is not the owner of the disputed premises.

11)**Question:** After receipt of the letter Dated: 10.07.2019 marked at Ex.P.5 Petitioner asked Respondent to vacate the disputed premises to start office by Naksha G Sappe, Advocate ?

Answer : In the property measuring 2.5 feet length, 5.5 feet width they can start office of Advocate.

12) It is true to suggest that prior to filing of this case Petitioner through her Advocate sent a notice Dated: 28.11.2019 marked at Ex.P.7. It is true to suggest that Respondent got issued reply Dated: 04.12.2019 marked at Ex.P.8 to the notice marked at Ex.P.7.

- 13) It is true to suggest that after exchange of the notice Petitioner filed present Petition.
- 14) It is true to suggest that after filing of the Petition Respondent disputing the ownership of the Petitioner over disputed property.
- 15) It is true to suggest that since April - 2019 Shashikala never paid money to Petitioner as either rent or damages with respect to petition schedule premises. Witness stated that as the Petitioner is not the owner of the Petition schedule premises Respondent – Shashikala never paid money to Petitioner.
- 16) It is false to suggest that Petitioner required the possession of the schedule premises, therefore Respondent is liable to vacate the same. Witness stated that the disputed premises is the Government property.
- 17) It is false to suggest that to avoid to vacate the schedule premises I have filed false Affidavit and deposed false evidence.

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SCCH – 01
HRC No.30/2020
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Re-examination : Nil.

(Computerized as per my dictation in open court)

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

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.