

IN THE COURT OF THE I ADDL CHIEF
METROPOLITAN MAGISTRATE BANGALORE

CC No.3599-2012

Deposition of	:	G.M.Murthy	CW:100
Father's Name	:	Mallaiah	PW:14
Age	:	63 years	
Occupation	:	Retired VSL Employee	
Residence	:	Bhadravathi	

Duly Sworn on 30.11.2021

Examination in Chief by Sr. APP:

I know A1. In the year 2007 I had contacted A1 to purchase one site measuring 30x40 at Global City of Mandoor village and another site measuring 30x40 at Shubham Layout of Kengeri. I had agreed to purchased one site in my name, one site in the name of my son and three sites in the name of my wife. I had paid Rs. 16,20,000/- in respect of sites of Shubham Project. Thereafter accused got transferred entire amount to one site of Shubham Project and assured to allot said site. I had paid Rs. 3,12,000/- to A1 in respect of one site in my name situated at Global City, apart from above site. In that regard two agreements were executed between myself and A1. However accused did not allot any site to me. Transaction of Global City and Shubham took place from 2008-10. Hence I lodged complaint before CCB police. Now I see complaint lodged by

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me it is marked as Ex.P25 and signature of witness is Ex.P25(a), notarised copy of agreements of 2007 and 10 are marked as EX.P26 and Ex.P27. Another complaint lodged by me is marked as Ex.P28, signature of witness is marked as Ex.P28(a). I can identify A1 if shown to me. Counsel for A1 submits that there is no dispute with regard to identification of A1. Now I see a page consisting of two receipts, same is marked as Ex.P29.

Cross Examination by Sri SH for BS Advocate for A1:-

I had seen the land, did not see the site. It is true to suggest that initially they had informed that NA Process is going on, but later did not speak. I was not in due of any amount toward site of Shubham Project. But I was in due of two times amount in respect of site of Global Project. I did not issue any written notice to accused. I did not file any Civil case. I filed case before Consumer Court. The said court has passed orders in my favor. It is false to suggest that Ex.P29 receipt does not bear signature of A1. It is false to suggest that I have not fulfilled conditions of sale agreements and to suppress said fact I have filed false case against A1. It is false to suggest that as in the year 2007-08, Government stopped conversion of lands into NA, accused could not form layout in above land. It is false to suggest that A1 has not caused any delay in performing his part of agreement. It is false to suggest that due to our CCB complaint, the police seized relevant documents and as

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such accused could not develop above land. Witness volunteers we lodged complaint after two and a half years. It is false to suggest that I have given false requisition and deposing falsely to suppress my own negligence. It is false to suggest that A1 is innocent.

Sri NJ for A2 submits no cross-examination.

Re-Examination : Nil

(Typed to my dictation in open Court).

R O I & A C

I ACMM, Bengaluru.

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