

**DULY SWORN ON: 08-07-2025**

**CROSS-EXAMINATION BY Sri. BPP THE COUNSEL FOR Defendants :**

My education qualification is incomplete degree. I am doing business. If I am asked what degree I left incomplete, I say BE Engineering.

2.I am presently residing in the address as stated in my affidavit evidence. It is false to suggest that I am not residing in the said address stated in my affidavit evidence i.e. No. 544 Government Hospital Road, 2nd Block, Peenya, Bangalore.It is false to suggest that, it does not belong to me. It is false to suggest that when I filed the present suit, I was residing in the house of my cousin brother Purushottam. It is true to suggest that the legal notice, petition of PIM, plaint and affidavit evidence has been prepared on my instructions.

3.I do not have any other documents in respect of the present subject matter of the suit, other than those which I have already produced in this case. I have read and understood the documents and contentions taken by the defendants in the present suit. The suit schedule property in the present suit is property bearing No. 114 / C, which is opposite to Peenya metro

station. Its measurements are east to west 53 feet and north to south 100 feet. Its boundaries are to the east, the property of my brother, PC Narsimha Murthy, West by BDA property. North by NH4 service road & South by property of my first junior uncle PM Muninarasiah. If I am asked whether the above measurements stated by me were available at the suit schedule property at the time of institution of the present suit, I say originally the said measurement was available but later on some property has been acquired by National Highway Authority. I do not remember when the property was acquired by NHAI. It is true to suggest that I have received the compensation in respect of such acquisition of part of the suit schedule property. I do not remember when I received the said compensation.

4. It is true to say that the document now confronted to me is representation dated 27/10/2009 given by me to NHAI seeking compensation and since witness has admitted to said document, it is now marked as **Ex. D1**. I constructed building in Suit Schedule property in the year 2019. The site building measures about 4000 square feet. I cannot say the east to west and north to south measurement of the said building. I took the power connection to the said building in the year 2019. If I am asked in

whose name the power connection is taken, I say the connection was applied in my name, but by mistake the KEB has given connection in the name of my brother PC Narasimha Murthy. Later on I got the connection changed into my name, but I do not know when the power connection was changed in my name.

5. It is false to suggest that said building was not constructed by me, but was constructed by my wife, i.e. defendant No. 2 here in. The said property is situated within BBMP limits. I have not taken any building license from BBMP. It is false to suggest that at that point of time I was not at all residing in Bangalore, and it was my wife who took the power connection in the name of my brother.
6. It is false to suggest that I have stated falsely in the Plaint that Suit Schedule property is my self acquired property. It is false to suggest that Suit Schedule property is my ancestral property. I have got the registered document executed by my mother in my favour to show that suit schedule property is my absolute property. It is false to suggest that the said registered document is not produced by me in this case. My reference to registered document is to partition deed produced in this case.

- 7.It is true to suggest that I had filed OS 164 of 2023 against one Arun Kumar Shigotia, witness volunteers the suit is now dismissed. I do not remember if it is suggested to me that in the said suit I had stated that suit schedule property is my self acquired property.
- 8.I do not have any document to show that D1 is a tenant under me on monthly rent of Rs.50,000. Witness volunteers after construction I gave the property on rent to D1 and D1 had assured me that he will execute the document later on but subsequently D1 did not execute the document. I have issued notice to D1 in September 2022 calling upon him to execute the document in my favor.I gave the property on rent to D1 in September 2019.
- 9.According to me, the arrears of rent of Rs 18 lakhs stated in legal notice is from October 2022 up to filing of the present suit. I have not stated the said dates in Plaint and legal notice. Witness volunteers, it has become necessary to mention the dates only today and therefore I am mentioning the dates today. If I am asked whether Balaji Enterprises is a proprietorship concern or partnership firm, I say I have given the property on rent to K-P-Singh.I have mentioned the name of K.P. Singh in

the legal notice at Ex. P1. It is false to suggest that I am deposing falsely in this regard.

10. It is false to suggest that in the said legal notice I have not referred to the building in the suit schedule property. If it is suggested to me that in the electricity bill at Ex. P3 there is no reference to property No. 2, I say property No. 114 / c is there. Earlier the electricity connection was in the name of my brother PC Narasimha Murthy. Witness volunteers as I stated earlier by mistake the power connection was given in the name of my brother, although it was applied by me. It is true to suggest that for the purpose of providing electricity connection, documents will be collected from me. At that time, I had given photocopy of the partition deed. Apart from that, I have not given any other documents.

11. It is true to suggest that as per Ex. P4 the petition for PIM was filed against KP Singh. Presently, the Suit Schedule property is standing in my name. It is false to suggest that as per Ex. 10, the khata of Suit Schedule property is continued in the name of Chikka Gangaiah. It is false to suggest that I have not constructed building of 4000 square feet as per Ex. P6. If it is suggested to me that in Plaint and affidavit evidence I have

stated my father's name as Chikka Gangaiah, I say the name of my father is really PM Chikka Gangaiah. It is false to suggest that my father's name is not Chikka Gangaiah but Chikka Rangaiah. If it is suggested to me that defendant No. 2 is my sister's daughter, I say there is no such relationship but she is my former wife. It is true to suggest that there is no divorce between me and D2. I do not know if it is suggested to me that D2 is residing in my mother's house from the year 2015. It is true to suggest that D3 is my son. If I am asked what D3 is studying, I say I do not know since he left me in the year 2013 itself.

At this stage, further cross-examination, deferred at request with the understanding that cross examination should be concluded on the next date without fail.

(Computerized to my dictation in the Open Court as deposed by the Witness)

R.O.I.& A.C,

**(SUDINDRANATH.S.)**

LXXXIII ADDL. CITY CIVIL & SESSIONS JUDGE,  
BENGALURU.