

**DULY SWORN ON: 25-07-2025**  
**CROSS-EXAMINATION BY Sri. BPP THE COUNSEL FOR**  
**Defendants :**

12. If it is suggested to me that in the Plaint schedule I have stated the measurement of suit schedule property as 5300 square feet but it is actually only 4567 square feet I say due to acquiring of portion of the property by national highways authority the measurement of suit schedule property has now been reduced to 4567 square feet. I was aware as of the date filing of the suit that the measurement of the suit schedule property is only 4567 square feet. The metal shed in the Suit Schedule property is 4,000 square feet. It is false to suggest that the metal shed is to an extent of 4567 square feet.
13. It is true to suggest that even in OS 164 of 2023 filed by me, I have given my address as the same address which is stated in my affidavit evidence. i.e. No. 544, Government Hospital Road, 2nd Block, Peenya, Bangalore, 58. It is false to suggest that in said OS 164 of 2023 in the cross examination I have stated that since 2021 I am residing with the son of my junior uncle - Purshottam. It is true to suggest that the document now confronted to me is the certified copy of my deposition in

commercial OS 164 of 2023 and since witness has admitted the said document, it is now marked as **Ex. D2**. Witness volunteers in the course of the said deposition, the presiding officer recorded the evidence different from what I stated. He further states that the presiding officer addressed me and my mother in singular and also scolded us. I came to know that the evidence is recorded different from what I stated only after the said case was dismissed. It is false to suggest that I am deposing falsely and the deposition is correctly recorded on the basis of what I stated in open court.

14. It is true to suggest that in April 2015, I had gone to Beltangdi Hospital to take treatment. It is false to suggest that without informing hospital authorities, I left the hospital and also left my luggage and other items in the hospital. If It is suggested to me that on being informed by hospital authorities, my brother Narasimha Murthy lodged missing complaint in Belthandi police station, I say with malafide intention, my brother has lodged the said missing complaint. It is true to suggest that there is a cordial relationship between me and Narasimha Murthy. I do not know if it is suggested to me that said missing complaint is the document which is now confronted

to me and since witness has not admitted the same it cannot be marked.

15. Apart from Suit Schedule property, there are 10 houses and 5 industrial sheds in my name.

16. At this stage, Learned cross-examining Counsel wants to put questions to the witness in respect of the tenants and lease agreements in respect of other properties belonging to this witness. But all questions regarding other properties are disallowed since they are not relevant for the purpose of the present suit.

17. It is true to suggest that the photograph now shown to me is that of a house belonging to me and the rent in respect of the said property is being collected by my wife. Witness volunteers without my knowledge she is collecting the rent. Again witness says it is my son who is collecting the rent without my knowledge and said photograph is now marked as **Ex. D3**. It is true to suggest that photograph now shown to me is a property consisting of shop and house and the rent of the same is being collected by my wife and son. And since witness has admitted that said property belongs to him whose rent is being collected by his wife and son, the said photograph is now marked as **Ex.**

- D4.** Witness volunteers, even in respect of this property, they are collecting the rent without my knowledge.
18. Question : Do you know who are the tenants in the said building? (Question dis- allowed because it is irrelevant.)
19. It is false to suggest that on 11/1/2021, I went and quarrelled with D1, witness volunteers, I had gone to ask for rent. It is true to suggest that on the basis of complaint given by my son in respect of the said incident, the police called me to police station. Witness volunteers, they telephonically called me. If it is suggested to me that in the police station I have given the statement as per the document which is now shown to me, I say it was taken from me forcibly. Although witness has admitted that he has given such a statement, the said statement cannot be marked because it is a statement under section 161 of CRPC and such a statement can be confronted and got marked only for contradicting the witness in the criminal trial. Witness again says, my signature was taken to plain paper. If I am asked whether I have given complaint to superior police officer regarding such forcible taking of statement, I say I gave application but they did not give receipt for having received the

application. I have not filed any private complaint against said police officer.

20. If it is suggested to me that since 2013 I am living separately from D2 and 3, I say, they have only left me.

21. Question: you have not given any legal notice to them to live with you [question disallowed because it is irrelevant]. Learned Cross Examining Counsel is putting questions regarding the marital relationship and all such questions are disallowed because it is irrelevant to the present suit because this is only a suit for ejection.

22. If it is suggested to me that it is defendant No. 2 and 3 who have constructed the building in the Suit Schedule property and therefore they are collecting the rent, I say they have not constructed the building and the building is constructed by me, but unlawfully they are taking the rent. It is false to suggest that since I did not give maintenance to my wife and son, my brother has given suit schedule property and other houses to them towards their maintenance.

**Re-examination : NIL**

**(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.