

**DATED: 13.01.2026 PW.1 PRESENT AND OATH IS ADMINISTERED.**

**CROSS EXAMINATION BY SRI.AN ADVOCATE FOR DEFENDANT No.2:**

It is true that there is mail sent by the defendant which is marked as Ex.P.17. It is true that a reply under Ex.P.18 is sent by me. It is true that the defendant has sent the letter at Ex.P.19 to me along with the cheque at Ex.P.20. The cheque at Ex.P.20 was not presented for encashment for the reason that the defendant had assured of giving possession of the flat and also pay the rents. There is no written communication by the defendant for not to present the cheque at Ex.P.20. Subsequent to on account of death of Mr.Subramanian the holder of the cheque, the cheque was not presented. There is no written communication on legal heirs of deceased Subramanian for resettlement and for reissue of the cheque as we waited in good faith. Subsequent to death of Mr.Subramanian an Email is sent seeking for payment of the amount with reasonable interest. The said email is not produced to the Court. I do not remember now whether any email is sent seeking for refund of the amount with interest between 2016 and 2019.

**Re-examination:** Nil.

(Typed to my dictation in the open Court.)

**R O I & A C**

**(ARJUN S MALLUR)  
LXXXV ACC & SJ, BENGALURU.**