

Witness present and duly sworn on 24.09.2025.

Further cross examination by Sri.HPL advocate for the D.Hr:-

10. It is true to suggest that several customers have filed cases against me before Consumer forum with

regard to agreement of sale of apartments. It is true to suggest that they have filed such cases alleging violation of terms and conditions of agreement. It is true to suggest that they further alleged in said case that, construction of apartment was not completed as per terms and conditions of agreement. Witness volunteers, I have completed nearly 90% of construction work. It is true to suggest that they filed cases on 22.02.2018. It is true to suggest that said matter was settled on 24.09.2018. It is false to suggest that on 24.09.2018 also I had not completed construction work. Witness is confronted with certified copy of one of such order sheet and complaint in consumer complaint No.231/2018, he admits the same. Said documents are marked as **Ex.R1 and R2**. It is true to suggest that the said matters were settled as per compromise order dated 24.09.2018 mentioned in Ex.R1. I have not filed final report on 30.04.2019 as per said order. Witness volunteers, appeal is pending before State Consumer Forum. I have filed 19 appeals before State Forum, but I do not remember numbers of said appeal. I can produce copies of said appeal memos in this case.

11. I have signed Ex.P53 after reading and understanding contents of said document. I have not

produced Architect report with regard to completion as per Clause 1.4 of Ex.P53 Agreement. It is true to suggest that as per Joint Development Agreement, Nanjappa, Venkatesh and Manjunath have given me the possession of the schedule property. It is false to suggest that after receiving of completion report by Architect as per Clause 4.4 of Ex.P53, I was bound to inform first party Nanjappa, Venkatesh and Manjunath immediately. It is true to suggest that as per Clause 8.3 of Ex.P53, I was bound to complete the project in 24 months from the date of commencement and 2nd party shall commence the project within 30 days of the plan sanction of the project. I have got executed Consent Deed from aforesaid first party Nanjappa, Venkatesh and Manjunath in the year 2013. It is true to suggest that in Ex.P11 Consent Deed no fresh terms and conditions were mentioned. Witness volunteers, the terms and conditions of old JDA i.e. Ex.P53 were applicable to said deed also.

(At this stage, further cross examination of witness is deferred as heavy matters are posted today)

(Typed to my dictation in the open court)

R.O.I & A.C.,

(ANAND T. CHAVAN)
LXXXIV Addl. City Civil & Sessions Judge,
(CCH-85) Commercial Court, Bengaluru