

Witness duly sworn on 02.08.2023.

4. Cross examination by Smt.MK for the 5th defendant:

I am the Manager in plaintiff company. I joined the plaintiff company some time in 2007-08. I have personal knowledge of the transaction between the plaintiff and the 1st defendant. It is not correct to suggest that Ex.P1

does not authorize me to give evidence in this case. It is false to say that the director of the plaintiff has not signed Ex.P1.

5. I do not know the type of mortgage in respect of which Ex.P3 is executed. It is not attested by witnesses. It is true that the date of execution is left blank in Ex.P3 but it was executed some time in March / April 2014 in my presence. I have not signed Ex.P3 as a witness. I did not sign as a witness.

6. It is true that Ex.P3 is not signed by the 2nd party therein. Witness volunteers, the defendant told me that signatures could be done at the time of registration but did not intimate the date of registration. It is false to suggest that Ex.P3 was not signed in my presence. It is false to suggest that Ex.P3 is not validly executed.

7. It is not correct to suggest that Ex.P3 was introduced for the first time in this suit, the document was executed some time during March / April 2014. I am not aware that original title deeds have to be collected if the mortgage is

by deposit of title deeds. It is true that we have not collected the original title deeds at the time of execution of Ex.P3. I do not know where the original title deeds are. Ex.P3 is not registered as the defendant did not come forward to register the same. I am not aware that there is no entry with regard to Ex.P3 in the EC. I deny that Ex.P3 is a document created for the purpose of this case.

8. It is false to suggest that the plaintiff has not lent money to the 1st defendant. It is true that Ex.P4 is not attested by the bank. I deny that Ex.P4 is a created document. It is false to suggest that Ex.P5 is self attested for the purpose of this case but it is a self attested document.

9. Details of Ex.P6 was reflected in the EC, we applied for certified copy and produced before the court. I cannot remember as to when this certified copy was obtained. I am not aware of redemption of alleged mortgage as on the date of Ex.P6. It is false to suggest that we have not disclosed about redemption of mortgage despite knowing the same.

10. I am not aware of 5th defendant issuing a paper publication before purchasing the property. I don't know if the 5th defendant is a bonafide purchaser of the property for a valuable consideration. I deny that we have not issued any legal notice. We have not produced the legal notice. Witness volunteers, I can produce the same. It is not correct to suggest that we have filed a false suit or I am deposing falsely before the court. I am not the director of the plaintiff.

11. Cross examination by defendants 2 to 4 and 6:
Taken as nil as there is no representation.

Cross examination by D1: Deferred to 23.08.2023 at the request of counsel finally.

(Typed to my dictation in the open court)

R.O.I & A.C.,

**LXXXIV ADDL. City Civil & Sessions Judge,
(CCH-85) Commercial Court, Bengaluru**