

**WITNESS CALLED AND DULY SWORN ON 06.06.2026.****FURTHER EXAMINATION IN CHIEF BY SMT.B.K.S., ADVOCATE FOR THE PLAINTIFF:-**

I pray to mark the following documents produced by me in support of my contentions:-

Ex.P.9	C/C of partnership deed
Ex.P.10	C/C of GPA

**CROSS EXAMINATION BY SRI.N.V.K., ADVOCATE FOR THE DEFENDANT:-**

1. I have signed my chief-examination affidavit. I was signed my chief-examination affidavit in front of my advocate. I couldn't remember the place where I signed. It is true to suggest that, I have signed my chief-examination affidavit in front of my advocate only.

2. I have gone through all the documents in respect to this case. I have also gone through the Written Statement filed by the Defendant and documents. My chief-examination affidavit was prepared by my advocate. It is true to suggest that, my advocate was prepared the chief-examination affidavit and I signed.

3. The signature just I saw in Plaint page No.1 is my signature. It is true to suggest that, I have referred the partnership deed in the Plaint dtd.17.02.1014. I have not produced the partnership deed dtd.17.02.1014. The nature of our partnership

business are freight forwarding and customs clearance. When customers approached I will carry out the containers for export and import all over world. While approach the client, they were send the invoice, packing list, bill of lading, upon receipt of documents we will prepared the checklist and we will send to the client for their approval, upon approval we will file the shipping bill or bill of entry in the ice-gate of Indian customs. The responsibilities are depends upon the terms to supply the goods along with the containers from one place to another place.

4. Defendant was not importing adult things to the plaintiff. By mistake I have mentioned the Defendant was importing adult things to the plaintiff. It is also wrongly mentioned in Plaint at para No.3 that, the Defendant was importing adult things to the plaintiff. I have not gone through the plaint and I trusted my advocate and signed in Statement of Truth. It is false to suggest that, maliciously and to defame the Defendant, I have stated that the Defendant was importing adult things to the plaintiff.

5. The Defendant was approached the plaintiff through e-mail and whatsapp. I have produced e-mail extract before the court. In 2021, the plaintiff and defendant were agreed terms and conditions through e-mail, but I have not produced those e-mails before the court. The Defendant was started business transactions since 2021. Defendant and plaintiff had no issues since 2022-2023.

6. It is true to suggest that, as per plaint para No.4 to 6 the entire responsibility of customs clearance and delivery to the

Defendant's factory was upon the plaintiff. The procedure mentioned in para No.4 of plaint is the procedure of clearance against the shipment DPD (Direct Port Delivery) and we file the bill of entry under the same scheme and Indian customs the bill of entry called for the 100% examination for all 08 containers (The Chennai Sea Port not have facility to do the 100% examination in the Chennai Port), hence all the 08 container need to move to CFS for 100% examination by the customs. Other procedure is to amend the IGM (Import General Manifest), instead of DPD for CFS clearance. For this amendment shipping line will approach the port authority as well as Chennai customs, upon their approval we will move all containers to the CFS for 100% customs examination. I was aware about the Chennai Port was not having the 100% examination facility. I cannot say that, inspite of being aware about Chennai Port was not having the 100% examination facility, I took the order from the Defendant and then took the cargo to the Chennai Port.

7. I have contract with 'Calyx Container Terminals Pvt. Ltd.' but I do not have any contract with 'WANHAI'. It is true to suggest that, the Defendant does not have any role with 'WANHAI' and 'Calyx Container Terminals Pvt. Ltd.' Plaintiff was aware before the contract with the Defendant as 'Plaintiff understand from CCTL they require minimum 72 to hours to inform'. It is true to suggest that, I entered into contract with the defendant despite knowing that, 72 hours minimum required.

8. The dates mentioned in para No.4 and 5 of Plaint are

accurate. It is true to suggest that, the plaintiff have filed the bill of entry on 08.05.2023 after 5.00pm after receipt of documents received on the same day around 3.00pm from the Defendant and there is a delay of 2.00hours from plaintiff side. It is false to suggest that, there was one day delay as container moved on 17.05.2023 and the plaintiff have completed 100% customs inspection on 18.05.2023. It is true to suggest that, the plaintiff have completed 100% customs inspection on 18.05.2023. It is false to suggest that, there is 03 days delay from 20.05.2023 to 23.05.2023. Witness volunteers delay was due to Government holiday on Sunday. The defendant have accepted enhanced value on 22.05.2023, the Defendant has also agreed on 20.05.2023. There is a bill of entries to show that, the Defendants were accepted the enhanced value on 20.05.2023 and 22.05.2023. Witness verified and stated that, we have not produced that document.

**FURTHER CROSS EXAMINATION: DEFERRED AT THE REQUEST OF ADVOCATE FOR DEFENDANT.**

(Typed to my dictation in open court.)

R.O.I & A.C.,

sd/-

(VIDYADHAR SHIRAHATTI)

LXXXII ADDL. CITY CIVIL & SESSIONS JUDGE,  
BENGALURU.